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International Court of Justice

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Official Transcript of the International Military Tribunal in the Matter of the United States of America, the French Republic, the United Kingdom of Great Britain and Northern Ireland, and the Union of Soviet Socialist Republics against Hermann Wilhelm Goering et al, Defendants, sitting at Nurnberg, Germany on 31 May 1946, 1000-1700, Lord Justice Lawrence presiding.

FRITZ SAUCKEL--Resumed
CROSS EXAMINATION--Continued.

BY GENERAL ALEXANDROV:

Q. Defendant Sauckel, yesterday I did not get a satisfactory answer to my question as to how many foreign workers were imported to Germany from occupied territories.

Now you will see the document No. 1296-PS, which is your report dated 27th of July 1942. Besides, Document No. 1739-PS will also be handed to you. It is a summary of your activities until the 30th of November 1942.

I would like to explain that in this case, this has to do with the number of foreign workers imported to Germany, including prisoners of war. The loss of manpower has no importance in this case, as this will not modify the numbers of people brought to Germany. They were brought to Germany, but later either perished as a result of unbearable slave labor, or else were returned as incapable of work. Did you see those documents? Have you got these document?

A. Yes, but please may I have permission to look at them and look at the figures?

Q. Please do so.

Witness --

A. I haven't finished. There is much in this document.

Q. But it is not necessary to weight yourself with the contents of all the documents. In Document No. 1296-PS, on the last page of the report, at the end of the page, you will find Count 5, which is entitled "General Summary". Have you found that part?

A. No, I haven't quite. Which document are you referring to?

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Q. Have you found it?

A. I have found that passage, yes.

Q. These are summary figures, 12,000,094 people.

THE PRESIDENT: Twelve million, did you say?

GENERAL ALEXANDROV: No, 5,124,000 persons.

THE PRESIDENT: It must have been an error in translation.

A. I must state with emphasis, in connection with this document, th t the figure here, 5,124,000 is contained in it, and it is true it is 1,576,000 prisoners of war, but they cannot be counted amongst civilian workers. As far as their administration and their accomodations were concerned, they were commanded by the army and were taken care of by the general system for prisoners of war in the various districts.

Q. They were utilized by German industry. Please read after me Count 5, "General Summary of Mobilized Workers in Germany for Manpower".

A. Yes, that is true.

Q. Now, take a look at --

A. Please will you let me explain that these prisoners of war were not looked after or accomodated by the firms in question or the German Workers Front, but that they were accomodated in the camps which were under the jurisdiction of the general system for prisoners of war in the district in question. For that reason, they are not included in any statistics as civilian workers.

Q. As far as prisoners of war working in the organization, I will speak of that later. Actually, I am interested in knowing how many civilian workers and prisoners of war were working in German industry. Do you confirm this figure of 5,124,000? Is this figure an exact figure or not?

A. For that purpose it is a correct figure, but so that the Tribunal can get the exact picture of the procedure, I should like to have permission to refer to a very exact document. That is Document 1746-PS. That is an exact statement of the civilian workers from various countries and prisoners of war. The document deals with a time about six months later than this one, and the highest authorities in the Reich confirmed it.

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It had been presented to the Fuehrer, too.

Will you please allow me to complete my statement. I am very politely asking you to. I must verify these matters completely. My conscientiousness demands that before the world.

In February 1943, that is to say six months later, there appears on page 7 of Document 1746 an exact statement of figures, and that shows 4,012,000 civilian workers, and 1,648,000 prisoners of war.

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The total of that figure is most exact, 7,672,000. In spite of the fact that further foreign civilian workers came in this figure did not increase considerably and that is proved by the fact that, as I said yesterday, civilian workers who came from western, southern and south-easterly territories mostly had contracts to work for six months and whenever possible and under my care, these contracts were observed, because if I had not insisted that they be adhered to, I could not have had any new workers coming in. If, during six months I occupied several hundred thousand and then returned them, that figure would shift again and again as they went home.

Civilian workers who came into various districts were always shown and reported as a total figure as a certain date and the returning men must be deducted.

There is a French document, which is a report from Paris. My counsel will be good enough later on to state the PS number. That document shows that French workers were shown in total, not in accordance with my office, but in accordance with a statement of the French Embassy, and that eight hundred thousand workers from France were taken to Germany, but that in 1944 there were only four hundred thousand in Germany on the strength of these work contracts, because as such contracts would expire daily, thousands of them would travel back. You could say that roughly fifty percent of the contracts were expiring and fifty percent were working and that is an exact statement, made to the best of my conscience.

Q. As to what these work contracts actually were, I will speak about later.

My French colleague, during his examination, proved quite adequately what criminal methods were used to mobilize workers; as to how this was done in the east I will speak to you about later.

I would like you to confirm the figures of your report, 5,124,000. Is this an exact figure or is it not an exact figure? I am waiting for your answer. I do not ask for an explanation, I want you to say whether this figure is exact or not.

A. It is correct for the purpose of this document, but it was constantly changed for the reason I have mentioned.

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Q. This figure refers to 24 July 1942, it is quite clear to everybody. Now, take up the second document, 1734-PS.

THE PRESIDENT: 1739?

BY GENERAL ALEXANDROV:

Q. 1739-PS, last page. I read the following sentence:

"Only then can we be sure that a vast number of foreign workers and women workers in the territory of the Reich, which reached seven million, including all working prisoners of war, will furnish the greatest aid to German war industry."

Does this sentence mention seven million?

A. The figure of seven million quoted included all prisoners of war used for work at that particular moment.

Q. Yes, I know that. I have read this. But is this figure of seven million, is this the figure mentioned in the document?

A. It is written in that document, yes.

Q. Is this figure an exact figure?

A. That is a correct figure and I am asking the Tribunal also that I be allowed to read the two following sentences because you are accusing me of criminal methods. I have used my entire knowledge, energy and all the influence I had to prevent criminal methods and that is proof, these two following sentences which I shall now read.

Q. But, I am obliged to interrupt you again.

A. Please, may I add to the answer which I have already given and be allowed the possibility and may be granted by the Tribunal that I be allowed to read the following sentences under --

Q. Defendant Sauckel --

THE PRESIDENT: Let him read the two sentences he wants to read.

GENERAL ALEXANDROV: But they are absolutely irrelevant to the question of imported workers to Germany.

THE PRESIDENT: I have not got a translation of the document, so I cannot tell. I want to hear him read the sentences.

BY GENERAL ALEXANDROV:

Q. Then read them, please.

A. Beaten, undernourished and half desperate eastern workers, for

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instance, would be more of a burden to the war economy than an aid to it. The prerequisite is that all offices and factories concerned have to be quite clear about this point, and this is my aim".

That was my continuous effort, and I just want to prove my conscientiousness through those two sentences and how I looked after my task which was a very difficult one for me.

THE PRESIDENT: Now defendant, will you kindly answer the questions and only explain when it is necessary as an explanation of the answer. All you were asked was whether the figure of 5,124,000 now in the first document was correct and whether the figure of seven million in the second ducument was correct and you said both of them were.

Now go on, General.

BY THE WITNESS: I have already asnwered that it is correct, that the figure seven million --

THE PRESIDENT: Well, we do not want any more explanation.

BY GENERAL ALEXANDROV:

Q. I can understand perfectly well that you are not interested in increasing

these terrible figures even by a unit, not to speak of millions.

Yesterday you stated that in '43 two million further came to Germany and in '44 a further million.

A I must definately rectify that. I did not say that at all. What is correct is that beginning in July 1942 and until the end of '43 approximately there were about two million foreign workers who came to Germany, not only in '43. From February '43 until the end of '43, for instance, only one million came to Germany because we already had considerable difficulties at that time but from June or July '42 until the end of '42 about a million arrived and in about one year and a half a total of about two million did come.

Q As to how many you got in '42, that is already known to us. Yesterday you stated quite definately that in '43 two million came in, Is that right? I am speaking of 1943.

A If I had expressed it that way yesterday, though I do not remember it exactly then it is not correct. What is correct is that from July '42 until the end of '43 about two million foreign workers were being employed in Germany.

THE PRESIDENT: The Tribunal is not really interested in the exact number of foreign workers who came to Germany. It does not seem to us to make very much difference whether five million or six million or seven million came there. It is extremely difficult to follow the figures.

GENERAL ALEXANDROV: Mr. President, I do not wish to determine with mathamatical exactness the numbers of workers brought to Germany but I consider it quite indispensable to grasp the scale of these crimes and therefore I would like Sauckel to determine how many workers were brought to Germany during the war.

THE PRESIDENT: I just told you we do not consider it important. You say that you do not wish to ascertain with mathamatical accuracy but we have spent a considerable time in attempting to do so.

GENERAL ALEXANDROV: This can be attributed to the fact that the defendant Sauckel is not answering the questions put to him.

BY GENERAL ALEXANDROV:

Q Tell me, such methods of warefare as the deportation of millions of people from occupied territories as slave labor, do you consider these methods as honorable methods of warefare and based on the ethics of moral exigencies?

A I do not consider this as inadmissable methods and perhaps I may make the

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following statement. It was my own firm, personal conviction it is no crime.

Q Please do not elude the question.

A I do not divert the question but I may say it is right to give an explanation to the answer. I have already given the answer.

Q Answer straightforwardly.

THE PRESIDENT: One moment. General, you asked the defendant whether he considered it honorable. Now, he is perfectly entitled to answer that question and to answer it in his own way.

GENERAL ALEXANDROV: Let him answer yes or no.

THE PRESIDENT: It is not a question which admits of the answer yes or no. the question whether a thing is honorable. He is entitled to answer it freely.

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THE WITNESS: After I have given my clearance, I beg that I may be allowed to state that to the best of my conscience I could not be convinced that I was committing a crime, and that I may read the principle sentences from the document Sauckel 86 as proof of my conviction. These were the instructions which I had given to my department:

"We are not here concerned", I quote, "with material matters. I emphasize again, most definitely, that we are dealing with people, millions of people, every single one of whom, whether they want to or not, must, from his point of view--be he a German or a foreign worker--be critical. The performance of a human being, on the other hand, be he a member of our nation or not a member of our nation--that is, a foreign worker--be he a friend or be he an enemy, that performance must always depend on the question of whether he recognizes within himself that he is treated justly, or whether he arrives at the conclusion that he is unjustly treated and exposed to cruelties".

Perhaps I may add that these are the instructions to my sub-departments:

"You must be just. Many questions will come to you; you cannot always answer them."

THE PRESIDENT: We don't want to go into a very long speech, you know, about a question like that. I mean, you don't want to read all your instructions to your subordinates.

THE WITNESS: I shall only read two more sentences, Your Lordship, if I may.

"The worker's life is so varied that you cannot put it in even many volumes. That is the feeling which every man has--

THE PRESIDENT: Defendant, that is enough. We have heard enough.

BY GENERAL ALEXANDROV:

Q Defendant Sauckel, in July of 1944 a meeting was held in Hitler's offices, as to how one should treat foreign workers as a result of the successful advance of the Allied Armies. Do you have any knowledge of this meeting?

A May I ask you to give me the date again please?

Q It was in July of 1944. Do you know anything about this meeting,

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or don't you?

A I cannot remember for certain. Will you please put a document to me? I can not remember a meeting in June or July because from about the 20th of June, 1944, I was never admitted to the Fuehrer concerning any matters.

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Q Then I do not need anything else. That means you do not know anything about this meeting.

Tell me, with what object were foreign workers who were brought to Germany used? Were they utilized in war industry and ammunition industry? Is that correct?

A Workers were brought to Germany for employment in armament industry. The armament industry is a very wide field, and it is not identical with the manufacture of weapons and ammunition. Within the armament industry all such products like matches, for example, and some types of guns were included, which could be used in any way to supply the army. That means that this conception is a very wide one, and you must realize that it excludes the manufacture of ammunition and weapons.

Apart from that, workers were brought to Germany for all other branches of the civilian and war economic system, such as agriculture mines, handicraft, and all that. It was broken down into three stages:

War economy meant the entire German economic system in wartime.

Armament meant--

THE PRESIDENT: Here, we don't want a lecture upon that, you know. All you were asked was whether they were brought there for work in the armament industry.

THE WITNESS: Some of them.

BY GENERAL ALEXANDROV:

Q I would like you to answer whether the workers brought to Germany were mainly used in Germany's war industry for war aims. Is that correct? I mean, in the broad sense of the word.

A In the wide sense, yes, including all economy in war.

Q Then the utilization of manpower was subordinated entirely to the conduct of the war by Germany. Do you admit that?

A That is too wide a conception. My own views under which I acted at the time excluded the word "aggressive".

Q Please answer briefly if you can do so. Do you admit

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it or don't you?

A I have already answered.

Q Your part as organizer of mass deportation of slave labor in the occupied territories has already been clarified. Now I would like to go into the part played by the various ministries.

Would you enumerate which of the ministries, or other government agencies of Germany, played an immediate part in the mobilization and the utilization of foreign manpower? For example, the Ministry of Occupied Territories in the East, the Ministry of Armament, and the OKW were already mentioned here. Please enumerate them.

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A. Your delegation has submitted a plan, Mr. Prosecutor, which contained small mistakes, which I haven't seen myself. That plan in its original was submitted to me. At any rate, that plan -- after the small mistakes have been rectified -- is clear and gives you the best explanation.

Q. Your defense counsel has stated here th t this plan is not quite accurate. Therefore, I ask you which ministries of Nazi Germany, or other governmental agencies, played an immediate part in the mobilization and utilization of manpower, besides those which I have already mentioned.

THE PRESIDENT: General, he says that it is substantially correct, and that there was only one minor alteration suggested in it. Certainly that is sufficient for us.

GENERAL ALEXANDROV: But the defense counsel for Sauckel stated himself that there are a number of errors. However, I will try to facilitate this task.

BY GENERAL ALEXANDROV:

Q. Please tell me what part was played in this matter by the Ministry of Foreign Affairs, for instance.

A. The Foreign Ministry had the following connection with this matter. The Foreign Office had to have a contact with such countries where embassies or German delegations were acting. Following that, negotiations would then go on, usually under the chairmanship of the head of that delegation or embassy. The Foreign Office always made every attempt to have such negotiations conducted in a proper and correct form.

Q. On the 4th of January, 1944, a meeting was held in Hitler's office. This is document 1292-PS. In point 4 of the record of this meeting we read that the General Plenipotentiary for the Utilization of Manpower must, before taking measures, contact the Ministry of Foreign Affairs. What did that mean in this particular case?

A. In this particular case it was meant to indicate that if I had to carry on negotiations with the French or the Italian Government, I would first get in touch with the Foreign Ministry.

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Q. After this meeting which occurred on the 4th of January, 1944 -- that is, on the 5th of January, 1944 -- you sent a letter to Lammers, in which you mentioned the necessity of issuing a special order as a result of this meeting so that all aid should be given you by the following agencies -- and I will enumerate them: The Reichsfuehrer SS, the Minister of the Interior, the Minister of Foreign Affairs, Fieldmarshal Keitel, the Minister for the Occupied Territories in the East, Rosenberg, the Governor General, Reich Commissars, and others. Do you remember this letter?

A. I remember that letter, but I want you to put it before me because I can't remember the details contained therein.

THE PRESIDENT: What is the number of that document, General?

GENERAL ALEXANDROV: That is number 1292-PS, My Lord. It is at page 6 in the Russian text.

BY GENERAL ALEXANDROV:

Q. Have you found the place?

A. Yes. Is it the last page?

Q. Yes. That means you considered that all these agencies were to participate in this or that way in the carrying out of measures for the mobilization and utilization of man power. Is that correct?

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A That is correct. And may I please make the following statement in that connection? It is obvious that I myself could not do things without informing high authorities of the Reich. It is true that I was attempting to work correctly and that I was working wisely in the Reich, and interfering with other spheres of administration.

Q But I would like to ascertain this. The carrying out of these criminal measures by the Hitler government was accomplished with the aid of the entire state mechanism of Nazi Germany and the government agencies of the Reich; is that correct?

A I object to the word "criminal" in that way; and in the re-examinatio I want my defense counsel to examine me on that point.

Q It is not a question of the question. But is it correct?

A That is most important, the meaning of that word.

Q Did the entire state mechanism of Germany take part in this activity or not?

A I must answer no to that question in that form.

Q But I do not need anything else.

A I must be allowed to explain myself. Regarding the recruiting of workers and their signing up for German construction, the person who was responsible for this, the chief of the commissioner's office or of the District administration, would act. I must emphasize that I could not issue laws, and I was not allowed to do so. I could not interfere with the administration of the State. That was true with every country in the world.

Q Yes. But you were obliged to coordinate all the work of these state agencies. That is the task that was assigned to you.

A Not to coordinate, but to instruct, or inform, and where I had jurisdiction to assist the workers of the state.

Q No; that is not quite so. I did not want to take up this question. But I see that I must return to it and take it up again, for you seem to minimize your part in this action.

A But I must reply to the word "minimize". The distribution of workers in the Reich was my job. It was my main task, and it concerned 30,000,000 people. So it is not a question of minimizing. I did my best to direct these matters in an orderly manner; and it was done. Such were my duties. I

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must not try to minimize anything. It was my task, my duty, and my mission.

Q We need not "polemize" on this subject. We will return to the question of government.

A I must apologize to you if you misunderstood me. I am not entitled t polemic, but I am asking that I may present my views regarding this task, because that was the most personal task I had.

Q That is quite apparent in this order dated the 27th of March, 1942. This document is No. 265. I will read a few excerpts from it, and this will show what your powers were.

THE PRESIDENT: What is the number of it?

GENERAL ALEXANDROV: It is U.S.S.R. 365.

THE PRESIDENT: Has it got a PS number?

GENERAL ALEXANDROV: No. This is a Soviet exhibit.

BY GENERAL ALEXANDROV:

Q Please read Part 4. It says, The general plenipotentiary for the utilization of manpower has the following powers for the solution of tasks assigned to him: the power which has been assigned to him by the Fuehrer to issue orders to the higher Reich agencies, to the party and organizations dependent on the party, to the Reichfuehrers, to the governors, to the military leaders, and the heads of the administrative agencies.

That is what we read in part 4 of this order. I believe, therefore, that you were entrusted as general plenipotentiary for the utilization of manpower with extraordinary powers. Is that correct?

A That is correct. And I want to state in connection with this point that that was limited to my particular sphere. A construction directive of a party character had to be put before me first. And I want to draw your attention to the fact that my officials in the department were limited in their action even further. A witness will make a statement in that connection.

Q Now, will you enumerate which of the defendants, including yourself and each of them in his own sphere, participated in the carrying out of measures relating to the deportation of slave labor from occupied territories? Please enumerate them.

A (No response)

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Q Did the defendant Goering participate in these crimes, as your direct leader?

A I want to draw your attention emphatically to the fact that I could not be conscious of the fact that on the basis of proper recruiting, and decrees, there could be the taking away of population. Measures regarding detail, I should not --

THE PRESIDENT: (Interposing) The question was, Did the defendant Goering participate with you in the bringing in of foreign workers, into Germany? You do not seem to me to be answering it at all.

THE WITNESS: In this question regarding the introduction of foreign workers I was directly under the Reichsmarshal of the GermanReich.

THE PRESIDENT: Then why don't you say so?

BY GENERAL ALEXANDROV:

Q Thus the defendant Goering participated in the carrying out of these

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criminal measures?

THE PRESIDENT: General Alexandrov, when you want to ask a question of that sort, I think it would be much better that you should not allege the fact that it is a crime. If you want to know whether the defendant Goering took part with this defendant in the work that he was doing, you can refer to that without calling it a crime; and then he perhaps will answer you more easily.

GENERAL ALEXANDROV: Yes, My Lord.

BY GENERAL ALEXANDROV:

Q Did the defendant von Ribbentrop participate in the carrying out of these measures on the diplomatic line, and did he sanction the violation of international treaties and conventions, referring to the violation --

THE PRESIDENT: (interposing) There again, these defendants are saying that there was no violation of international law; so the question I should put to him is, Did von Ribbentrop participate with him in these measures?

GENERAL ALEXANDROV: I want to know now what part Ribbentrop played in the utilization and the procurement of manpower; and I would like the defendant Sauckel to answer that question.

THE WITNESS: The part played by defendant Ribbentrop was that he had conferences with foreign statesmen, or foreign authorities in the occupied territories, and in neutral and allied countries abroad, which he arranged. And he attached considerable importance to the condition that they should be carried out correctly and under the best possible conditions for the foreign workers which were negotiated for.

BY GENERAL ALEXANDROV:

Q I will question you on defendant Keitel somewhat later concerning the utilization of prisoners of war by German industries

Now, please tell me, what had the defendant Kaltenbrunner to do with these measures?

A In this matter, I met the defendant Kaltenbrunner on one single occasion during a meeting the date of which I cannot

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remember. It took place in our chancellery. I think it was in 1944. Minister Lammers was present. Apart from that I had no conferences of any kind with Kaltenbrunner, and I made no arrangements with him regarding the employment of workers.

Q But did Kaltenbrunner put at your disposal forces for the mobilization of manpower?

A I emphasize again that the recruitment of workers was not a task of the police. And once again I shall ask my defense counsel to consider my instructions which are available, and then he should submit them to the Tribunal, because they show how the tasks were divided between the police and my department. They show it clearly and irrefutably.

Q But did the police participate in the carrying out of these measures, or did it not?

A In my opinion, the police participated only where partisans made the carrying out of my task impossible. In White Ruthenia many Burgemeisters were murdered by partisans. Documents will show that.

Q But even in normal circumstances, wasn't the mobilization carried out with the aid of the police?

A I shall tell you most directly. In occupied territories in Europe, there were some 1,500 districts. In these districts, there were 1,700 deaprtments. They were inhabited partly by German civil servants. Apart from that, these departments in the Soviet zone alone had about 1,000 Russian workers who had already worked in Germany, and they had the job of recruiting others. Considering that this service department was working among about 40,000 to 50,000 inhabitants, and assuming that they approached five people a day and examined them, that alone would bring you 200,000,000 men in one year. It is quite clearly a matter of administration. It was a question of having it ordered by me and authorized by me, and I carried it out as far as it was administratively possible.

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Q. If you give detailed explanations in answer to these questions of the cross examination it will take a very long time, and I wish you to answer briefly. This is not so difficult for I will put very easy questions to you. Will you please answer briefly?

A. I am trying to answer briefly as possible. I regret that an express job is always lengthy to explain; I found it pretty difficult myself.

Q. Now please answer briefly. What part did the Defendant Kaltenbrunner take in the carrying out of measures having to do with the mobilization of manpower? Did he participate in this or not?

A. I have already given you that answer.

Q. I did not understand it. Did he participate or didn't he?

THE PRESIDENT: He said that he only met Kaltenbrunner on one occasion and that the task of the recruitment of labor was not one for the police. That is what he said.

GENERAL ALEXANDROV: Mr. President, it was not necessary to multiply the meetings in order that Kaltenbrunner should take part in these measures. He did not need to meet Defendant Sauckel at regular intervals.

THE PRESIDENT: I don't want you to argue with me. I have told you what his answer was. It seemed to be an answer to your question.

GENERAL ALEXANDROV: Mr. President, I am not arguing. I would only like him to give some explanations on this matter.

BY GENERAL ALEXANDROV:

Q. As far as the participation of Defendant Rosenberg is concerned, I will not put any questions to you for Defendant Rosenberg himself gave quite clear answers when questioned by my American colleague, Mr. Dodd. Now tell me what part did Defendant Frick play in the carrying out of these measures?

A. Defendant Frick, as Reich Minister of the Interior -- and I don't know how long he remained in office -- was hardly concerned with this question at all. As far as I can remember, I had only the most necessary contacts with his ministry to discuss the necessary laws which were to be published within Germany regarding German workers, as far as that was necessary. Apart from that, he had no further part in this task.

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Q. We know it was not an accident that you wrote to Lammers, after the meeting of the 4th of January, that among the agencies who were to cooperate with you was the Minister of the Interior. That is why I ask you, what part did Frick play in the carrying out of these measures? You yourself asked for the cooperation of the Minister of the Interior. What was this cooperation to be?

A. To my greatest personal grief, Reichsminister Frick was then no longer Minister of the Interior, but Himmler, -- if I remember correctly.

Q. But what was the cooperation of the Ministry of the Interior which you foresaw?

A. I believe that it is obvious that in a system of every state the interior general administration must be kept informed about events taking place in so important a sector as the employment of human beings which will necessitate a large number of decrees and laws. They must be informed; they must participate. I couldn't possinly issue laws; I had no authority to do so. They had to be submitted to the Ministerial Council for the Reich Defense. I could only give the experts instructions, and that is quite a different thing.

Q. Did Defendant Funk, as Minister of Economics, and Defendant Speer, as Minister for Armaments, did they also utilize foreign manpower and were they intermediaries between you and the industrial magnates; is that correct?

A. At the end of your sentence there is a considerable erroneous conclusion. These were not agents between myself and industry. Industry was responsible to the Ministry of Rearmament when there were personnel changes. I did not negotiate with industry. They asked for workers and they got them.

Q. But tell us yourself, briefly, what part did Defendants Funk and Speer play in the carrying out of these measures? I do not want any detailed explanations. Answer me briefly.

A. Those businesses of German economy who came under those two ministers you have asked about, they received their workers and that was the end of my task.

Q. I understand. Tell us, did the Defendants Frank, Seyss-Inquart and

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Neurath play any part in the carrying out of these measures in all the territories which were under their jurisdiction? I mean the territories of Poland and Czechoslovakia and the Netherlands; is that right?

A. These gentlemen, within their own territories, they were carrying them out in these zones and supported me by publishing decrees and laws. They attached considerable importance to it themselves, that such laws and instructions were humanly justified and properly drafted.

Q. And what was the part played by Defendant Fritsche?

A. That I can't tell you. I only met Dr. Fritsche in Germany on one occasion and it was very brief. I think it happened at the beginning of 1945, regarding my tasks and my work. I never talked to him at all and I don't know whether, in turn, he had anything to do with it. I can only state that repeatedly, in the Ministry of Propaganda, I asked that my instructions and orders, as are contained in my document books that have been submitted by my defense, that they should be expressed by the Ministry of Propaganda, particularly to industry, so that the circles of workers concerned would receive them.

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Q But one defendant is missing and that is Bormann. What was his part / He put at your disposal the entire Party mechanism of the NSDAP, didn't he?

A No, he didn't. He placed at my disposal the Gauleiter, and the instructions which I gave tothe Gauleiter and the letters which I sentto them - three of which I think are available here -- those things referred to the fact that I could use the assistance of the Party for the welfare, feeding and clothing, of the workers, and that they should receive everything that was necessary for them and everything that we could possibly supply them with. T was the part the Party played, as far as it could play any part at all. In other words, it was a control in favor of the foreign workers used in Germany, and apart from that the Party had nothing to do with the whole thing at all. That is also because I didn't like other authorities to interfere with my work.

Q That is not quite correct. I will remind youof Point 5 of your program for the utilization of manpower which was issued by you in 1942. Thi is document USSR Exhibit 365. It states that the Gauleiters are nominated to be your plenipotentiaries and that they will utilize --

A May I see this document?

Q Yes, we will show this document to you. I do not quote this point but I only mention its contents, the sense of this point. It says that the Gauleiters will use in their sphere the Party organs, and therefore I assume that --

A It doesn't say so at all.

Q Have you found it?

A Yes, but for the purposes which you have described, will you be good enough to read on?

Q Read it yourself then.

A Thank you so much. "The heads of the highest service departments responsible in the Gaus belonging to the State and economy come under Gauleiters regarding all important questions of workers' employment." That is within their own districts. Then the departments are listed and there is mention of a president of the local labor office. Then there is reference to the trustee of workers. That isn't a Party department either. It is a State department. Then there is the country work leader, who is a State department --

H0145-0025

THE PRESIDENT: Please observe the light, to be sure the interpreters are getting it.

THE WITNESS: I apologize, your Lordship.

A The district trustee of the DF is a department of the DA --

Q Yes, I understand. You needn't enumerate them. I would like to draw your attention to Point 6. It says clearly that the Gauleiters, as plenipotentiary for the utilization of manpower, will employ the Party institutions, and in the next paragraph enumerates how they will carry out this work with the aid of such institutions; and in this point where they say that they will utilize the Party agencies, I assume that, therefore, the entire Party machine of the NSDAP took part in this work. Is that correct or not?

A No, and to this answer no I want to make a statement. In your first reply you told me that my description wasn't quite correct. My picture is most correct when I say that the Partywas employed to deal with the supplies for German and foreign workers and to look after their welfare. Those service departments of the Party which are listed did only carry out these tasks. They couldn't have any other jobs. I myself, as a former worker, was keen to see that these German and foreign workers should, as far as possible, be looked after during wartime, and that is the reason for this statement and no other reason, and my answer was therefore perfectly correct.

Q The district leaders of the Hitler Youth, did they also participate in the carrying out of these measures?

A The district leaders of the Hitler Youth participated so as to take care of youth and protect the youngsters in the way laid down by Reichleiter Schirach and later Axmann. They made these demands very firm. That is why the welfare of the youngsters had to be taken care of; they had to be protected against all dangers, including foreign youth, and they did that. I must say that emphatically.

H0145 - 0026

Q Did you, personally, approve of the policy of the Nazi government regarding the deportation of slave labor from occupied territories for the carrying out of aggressive war? Did you approve of that policy?

A The way you are putting your question is an indictment. I myself have said again and again that I was neither a foreign politician nor a military politician. I have said that I was given a task and I was given orders. I, as a German, tried to fulfil that task for my people and its government and to fulfil it correctly and as well as was feasible, since it had been told me that the fate of my people would partly depend on the carrying out of that task. With the knowledge of these facts I worked, and I confess that I used all my ability to fulfil that task in the manner which I have emphasized here. I considered that my duty, and that I must confess before this Court.

Q As to the characterization of your personal relationship to this crime, I would like to remind you of a few of your personal statements. This is Document USSR Exhibit 365 and is a program for the utilization of manpower for the year 1942. The excerpt which I will not quote will be shown to you. I read: "I beg you to believe me, as an old and fanatical National Socialist Gauleiter --" Do you find that part?

A Yes, so it says.

Q Now document 566 PS. It is your telegram to Hitler dated 20 April, 1943, which you sent while flying to Riga. This telegram will be handed over to you and the excerpt I am reading will also be shown to you.

H0145 - 0027

"I will with fanaticism apply all my strength in view of carrying out the task assigned to me, and to justify your confidence in me." Is that correct?

A. I considered Hitler a man at the time whom I worshipped, who was the leader of the German State, who had been elected by the German State, and who therefore had to be considered by me, for I was a German citizen who had an office and I considered it my duty that I would have justified myself before with the head of the state. I want to explain about this telegram.

Q. But I do not need an explanation to this telegram. I am not interested in your relationship with Hitler. I am only interested in your attitude to those measures which were carried out by you in view of the recruitment of manpower. Our next document 1292-PS, which is the record of the meeting of Hitler on the 4th of January 1944 --

A. Please, may I say something to that last statement that you, Mr. Prosecutor, had made. Please, may I add something to that, At that time, I couldn't have considered Hitler a criminal and I didn't know he was one. I said that it was my duty to do my duty and nothing else. Crimes, considering my career, I never supported and didn't want to support.

THE PRESIDENT: What was your question, General, whether this was a telegram sent to Hitler?

GENERAL ALEXANDROV: I am asking the last question about the telegram and I wanted to quote the sentence and to get the defendant Sauckel's confirmation that this telegram was sent to him. I wasn't interested in anything else.

BY GENERAL ALEXANDROV:

Q. The next document 1292-PS, do you have it before you?

A. No.

Q. I believe you were already shown a part which I am now going to read. Your statement is written as follows: "I with fanatical will strove to insure the utilization of manpower". This was speaking of four million workers mobilized. I did everything to get the necessary manpower for 1944". Did you say that? Is the record correct?

H0145-0028

A. I did say that, and I am asking you to be allowed to add the following to the answer of mine. I know that the German people, and they were my people ---Please, will you allow me to add something to my answer? That is my right, since I have anwered.

Q. One moment, defendant Sauckel. You have an explanation to every answer you give; a ridiculous explanation. I am already satisfied with your answer, that you did say these words.

THE PRESIDENT: He has given a perfectly clear answer that he did say it and I think he is entitled to give some word of explanation. It is perfectly true that his explanations are intolerably long, but he is entitled to give some explanation.

GENERAL ALEXANDROV: Mr. President, with every answer, he followed---

THE PRESIDENT: General Alexandrov, I have said that he is entitled to give some explanation. Now then, give it short.

THE WITNESS: I know that the German people were engaged in their most serious battle. It was also my duty that I should fulfill my task with all my faith; that is what I call "fanaticism". I also said with a further sentence that in that year I couldn't fulfill my task completely and in 1944, as far as my task could be fulfilled, it could be done to the extent that two-thirds of Germany was then being used. The majority were twoOthirds Germans, and I was fanatically trying to use the last German woman wherever she could work and bring her to wrok; that was more than two million in 1944.

Q. In April 1943, in order to accelerate the arrival of manpower from occupied territories, you visited Rovno, Kiev, Knoipestrov, Barbaroschkev, Senoropol (?), Minsk and Riga, and in July of the same year you visited

H0145-0029

Prague, Katral, Kiev, Barbaroschkev, and Militropal. Is that correct?

A That is true and during those journeys, I convinced myself personally that my officers were working correctly.

Q Thus, you personally organized the deportation to slave labor of the peaceful population of the Occupied Territories. Is that correct, too?

A I must protest against that most severely and fanatically.

Q But, then, why did you go to all these towns? Didn't you do that so as to enforce the deportation to slave labor?

A I have visited these areas so as to convince myself personally about my offices in the town. I shouldn't say "my", but the departments that were part of the administration, how they were working and how they were carrying out the instructions -- offices of the German nation and if they were following instructions correct. I wasn't able to fulfill my instructions. That is why I went to those towns. As far as contingents were concerned, I negotiated with the heads and it is quite true that it was my task to recruit workers and to investigate conditions but as far as these visits are concerned, I inspected the offices personally to investigate their functioning and convinced myself.

Q And also to insure the speedy deportation of manpower to Germany?

A I would see to it that the best methods were being employed in that connection. That is clearly contained in my instructions and that is before the Tribunal, on this very journey that you have mentioned.

Q That means that you especially went there only to improve the methods of recruitment? Am I to understand you thus?

A I went to these towns to convince myself whether the methods were correct and thest the methods with the service department. That is why I went, so it was my task; I didn't have to go to Russia or Kiev or any other town for that purpose. I only needed to talk to the Reich Commissioner and he was in Berlin; and I would talk to the Reich Commissioner who was in Rovna.

Q You, yourself, in your statements to your defense counsel, stated that no information as to the criminal methods of recruitment reached you and no complaints came to you. What was the reason for such a vast voyage to the Occupied Territories. I supposed that you received signals that mass deportation of slave labor was taking place. You visited more than ten cities.

H0145-0030

A May I correct you, Mr. Prosecutor, by saying that my defense counsel asked me about that statement and that I have answered him in the affirmative, in so far as I did have complaints and where I corrected them by stopping wherever I could stop and I am having witnesses called for that reason through my defense counsel.

Q Yes, the witnesses are to be heard in due time but I would like to ascertain now the object of your trip. It is stated that these trips were carried out in order to improve the method of recruitment; therefore, I assume, logically, that before you arrived, certain arbitrary methods were carried out and you went there so as to correct these methods and you know them. Now, answer, why did you go there and visit all these towns?

A I have already answered that question in every way and I say again that I assume, Mr. Prosecutor, that you personally have had so much administrative experience yourself to realize that in every department somewhere in the country, in every country in the world, it is obvious that instructions are inspected and investigated. It is even necessary to know that people in every human organization will make mistakes and that therefore they have to investigate it.

Q Do you deny that you went there so as to improve the methods or you went there so as to accelerate the deportation to Germany -- one or two-- choose?

A No, I must say emphatically that I went on those journeys to ascertain, within the limitsof my task, how my instructions were being carried out. I told my defense counsel during examination that I had been asked by Fieldmarshal Kluge about certain deficiencies but I also went to inform myself about the instructions to those departments and the purpose of my visit was correct during the journey, and I gave my evidence for that.

THE PRESIDENT: General Alexandrov, can you tell the Tribunal how much longer you will be.

GENERAL ALEXANDROV: I am afraid to say quite exactly but I believe about two hours.

THE PRESIDENT: You aren't losing sight of the fact, are you, that we already had a thorough cross examination by the French prosecutor. The Tribunal hopes that you will try to make your cross examination as short as possible, and the Tribunal will adjourn now.

(A recess was taken). 10747

H0145-0031

BY GENERAL ALEXANDROV:

Q Defendant Sauckel, tell us how you as General Plenipotentiary were concerned in utilization in German industry of Russian prisoners of war.

A I must reply to your question by saying that for the use of prisoners of war I had no collaborators because I did not employ prisoners of war.

Q And you did not carry out their mobilization?

A When the agency concerned was carrying out administrative measures through the labor offices between the firm and the camp, or rather, the prisoner of war system, it was my task to get these prisoners of war for the firms.

Q And what were the agencies or organizations?

A They were the generals for the prisoner of war system in the army district, and the other was the organization of the firms or the firms themselves working through the ministries concerned. It was the Food Ministry of the Reich through which most prisoners were sent to farmers to work.

Q In other words, you did not have anything to do with it? I shall remind you--

A Through the district labor offices, as far as they were having to act formally, I had to include them, as far as it was not done directly between the firms themselves and the camps.

Q I shall now cite a few excerpts from your report to Hitler of 28 July 1943. The document is 1296 PS, page 5. In this report, part three--

A Three or two?

Q Three. It is entitled "Draft of Mobilization of Soviet Prisoners of War", and you write there, and here I quote:

"Together with mobilization for labor of all civilian workers, I systematically increased mobilization or draft of Soviet prisoners of war, being assisted by OKW."

And further on:

"I assigned great importance to the further increase of tempo and delivery of the maximum number of prisoners of war from the

H0145-0032

front to work within the Reich."

Is this correct?

A That is correct, and it corresponds exactly to the story I have told you.

Q It does not quite correspond, You mentioned at the time that you did not have anything to do with the utilization of prisoners of war in German industry, and now in your report you give different information, and that is why I am asking you, Did you plan in advance the utilization of prisoners of war in the armament industry? That was included in your plans, was it not, and you are writing about it in this report? Isn't that so?

A I must rectify an important error on your part. In the whole world, be it for the state or privately, labor agencies were not organizations or institutions which were exploiting workers, but were passing workers on. I must note that you are making a major error there. It was my job to create connections so that these prisoners of war who might be stationed in camps in the occupied territory, say in the Government General, should be transferred from the generals for the prisoner of war system to the agricultural sectors in Germany and that they were registered and distributed accordingly. The actual employment in the firms was not under my supervision, and I had nothing to do with that.

Q In other words, you participated in supplying Soviet prisoners of war for utilization in Germany industry?

A That is not correct, considering my use of the German language and my understanding of it. Vermittlung (agency) is something quite different from exploitation. Other people will have to state their views about it. I can only speak about the transfer of these people, who were handled by the state in Germany, whereas in other countries it might be a private affair. No exploitation can be mentioned in that connection. I have not exploited one single worker.

Q Did you know that the Soviet prisoners of war were being utilized in the armament industries in Germany?

H0145 - 0033

A It was known to me that Soviet prisoners of war were used in German war industry, which is a very wide conception. It was a very large affair.

Q Did you know, in particular, the directive of Field Marshal Keitel regarding the utilization of Soviet prisoners of war in the mining industry? This directive is dated 8 July 1943. Do you happen to know anything at all about it?

A I cannot recollect it in detail. Will you please be good enough to put it to me?

H0145-0034

Q Have you read it?

A Yes.

Q It is stated here that there was utilization of Soviet prisoners in the mining industry, in the interest of war. Is that correct?

A It is with reference to employment of prisoners of war in mines in Germany.

Q For what purpose? The problem is directly stated in this document.

A It was in coal mines.

Q For what purpose? It was subject to aims and purposes? It is stated directly in the document.

A To work.

Q In the interests of war.

A All the German mines weren't working in the interests of war. A lot of coal from Germany was supplied to neutral countries. That was different.

Q I will read the beginning of this document. Follow me:

"For the execution of the enlarged iron and steel program, the Fuehrer has ordered on 7 July the absolute guarantee of the necessary coal production and for that purpose he has ordered to cover the requirements for manpower with prisoners of war."

Is it written there?

A I haven't quite got hold of what you read.

Q Did you find the place?

A Yes.

Q In such a way, the Soviet prisoners of war were to be utilized in the mining industry in the interests of war, is that correct? Isn't it stated in the document?

A Yes, it says that, but I want to say that this data is not addressed to me.

Q I asked you whether you knew this document and you said you did.

A Now I know it. Before that, I didn't; it didn't appear to me.

Q You told me that you knew about this directive in January, and you asked me to submit this document to you so that you could acquaint yourself with it in detail.

A No, I told you -- I want to state that again -- that I did not remember, and asked of you would be good enough to put the document to me. The document does not have my address on it. It did not come into my hands or into my office.

Q In order to fully ascertain the answer to this question, I shall submit to you

H0145-0035

document USA-206. This is your order of the 22nd of August 1944 in regard to supplying manpower from occupied territories. Do you happen to know this order?

THE PRESIDENT: What is the PS number?

GENERAL ALEXANDROV: The PS number? One minute, please. Unfortunately, I regret I don't have the PS number. All I have is the United States exhibit number, which is 206.

THE PRESIDENT: Have the United States Prosecutors got the corresponding number to USA-206?

MR DODD: I could have it in a few minutes, Mr. President.

H0145-0036

I don't have it right at my fingertips, but I will obtain it.

THE PRESIDENT: Thank you.

BY GENERAL ALEXANDROV:

Q. Defendant Sauckel, paragraph 8 of this order states that it is valid so far as the prisoners of war are concerned. Was there such a directive?

A. Yes.

Q. Therefore, you yourself didn't differentiate between the prisoners of war and the civilian population as far as their utilization and demand in the German war industry was concerned. Do you acknowledge that?

A. I have already answered to my defense counsel, and I think I also said so yesterday, that I and the Minister of Labor of the Reich generally had a catalogue under which prisoners of war could be employed. But this paragraph 8 has nothing to do with this particular letter, because that was an instruction which didn't come to me and which wasn't addressed to me.

GENERAL ALEXANDROV: Mr. President, the document USA-206 has PS No. 3044.

Q. Beside the statements to your defense counsel which you mentioned, you also stated that during the utilization of manpower in the German war industry, the requirements of the Geneva Convention were observed.

A. Yes, and that is available in documents, that the Reich Ministry of Labor and my offices had issued instructions that the Geneva Convention was to be observed in all respects concerning prisoners of war.

Q. And here you maintain that you didn't differentiate between the Soviet prisoners of war and the civilian population, is that correct?

A. No, that isn't true at all.

Q. In other words, a violation of this convention took place as far as the utilization of prisoners of war was concerned, inasmuch as they were treated by you in the same way as the civilian population and were utilized by industry in the interests of waging war.

A. In that case, I must have misunderstood you, or you may have misunderstood me. I said particularly that I did attach importance to it and that during the time I was in office I stated that the Geneva Convention was

H0145 - 0037

to be observed. I couldn't do more than that.

Q. Your defense counsel questioned you in regard to Operation Ost, and you answered in this way, and here I am citing the transcript of the record:

"Sauckel: No, I had nothing to do with this particular measure."

Now, I shall give you a letter from Alfred Meyer dated the 11th of July 1944. This document is PS-199. This letter is addressed to you. Will you please read Paragraph 1:

"That the war employment command formerly stationed in Minsk must continue under all circumstances the calling in of young White Ruthenian and Russian manpower for military employment in the Reich. In addition, the command has the mission to bring young boys of 10 to 14 years of age to the Reich."

H0145 - 0038

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H0145-0039

A I have read the passage, and I want to answer to it that although the letter is adressed to me, and although I must have information of it, I nevertheless had nothing to do with that plan in my office or personally. The case of the defendant Schirach has already brought the subject up, that these things were carried out within the authorities concerned, and the labor under my control was not actually concerned with it.

Q And how were you concerned with the staff that was in charge of utilization of manpower? What was your relation to the staff which was in charge of manpower?center? Kriegseinsatzkommando Mitte; was that your staff?

A I don't understand the question.

Q The staff which is referred to in the letter of Alfred Meyer, the staff dealing with the utilization of manpower "center".

A I can't find the word.

Q In the very beginning.

A Kriegseinsatzkommando Mitte is completely unknown to me. I don't know who he was; I don't know what he was; I don't know whether he was a military or civilian authority. I can't tell you. I have nothing to do with that.

Q It was testified here that for people from occupied territories, workers, the Reich Security Administration introduced markings. For the Soviet citizens, it was -- you don't hear me?

A I can't understand.

Q You testified here that for people who were brought in from occupied territories, certain identification signs were introduced. For the Soviet citizens it was the marking "Ost"; for Polish people, it was the letter "P", and so on, and you testified that you were not in agreement with this.

Now, what did you do in order to rescind this mockery?

A I made an attempt to stop such markings altogether. The Reichsfuehrer SS demanded categorically, however -- and I think there is a letter -- that these foreign workers be marked, the foreign workers who were going about freely in Germany at my request, and they had to be marked when they left the camp.

Q I understand.

A It was not a mockery. I want to state that emphatically. I did

H0145-0040

not consider it as mockery.

Q Did you say anything at all about it to your direct superior, the defendant Goering?

A Whether I talked to Goering directly, I cannot remember today. I can only testify that again and again, at regular intervals, I tried, until in March 1944, I think, my efforts were in fact successful, when the small eastern badge was changed to a national badge on the sleeve, as had been suggested by liaison officers for the various people from the east.

Q I asked you whether you spoke about this matter with Goering or whether you did not.

A I cannot recollect; maybe yes, maybe no.

THE PRESIDENT: General Alexandrov, I think you might pass on from this.

H0145-0041

Q In answer to questions of your defense counsel and of my French colleague in regard to how Speer treated your appointment as general plenipotentiary, you mentioned that you did not know anything at all about it. Now, you shall be given an article from a newspaper, the "Voelkischer Beobacht ". This os document USSR 467 and is being submitted to the Tribunal.

(Witness handed document)

This article was published on the 28 March, 1942 in connection with your appointment as general plenipotentiary. Do you find the place wherein it states:

"The appointment of Gauleiter Sauckel was made on the wish of Reich Minister Speer because of the extraordinary work involved in the task of utilization of manpower in the armament industry."

Of course, one must suppose you read the article.

A I cannot positively state that at this moment, not exactly, but it is possible pr probable. I did not have much time to read newspapers but I want to tell you, Mr. Prosecutor, firstly, during the time when I was in office I had more than five million German workers from various branches of German economy introduced into the armament industry. This task was done by me and in principle referred to German workers and involved their transfer.

Q What I was interested in was why was defendant Speer interested in your personal appointment as a general plenipotentiary. That is what I wanted to ascertain. Can you tell me anything in regard to that matter?

A Prime Minister Speer was interested in my nomination -- that is something I cannot tell you about. I have already told my defense counsel that I myself was surprised at the time.

Q You maintain that on account of your own resources the Hitlerite government went on the criminal path of enslavement of civilian populations and also utilized prisoners of war. Is that correct, is that what you maintain?

A I must state that I resent that conception on my part.

THE PRESIDENT: General, I have already pointed out to you twice that it is not right for you to put questions using such language as that -- criminal, crimes or violation of treaties for it involves assuming the guilt of the defendants.

BY GENERAL ALEXANDROV:

Q You maintain that on account of a lack of resources within the

H0145-0042

country the Hitlerite government started on the road of mobilization and utilization in the war industry of civilian populations and also the prisoners of war, is that right?

A I have already answered this question to my defense counsel. I stated that I personally, upon being nominated, suggested a different program but that the Fuehrer and other sources were not satisfied with that and while giving me the corresponding explanations also gave me orders.

Q But you yourself replied here that so far as manpower resources in Germany was concerned they were exhausted; did you say that?

A In carrying out my duties I pointed repeatedly that both in Germany as well as in occupied territories and because of the existing economic tasks, employment resources had been exhausted and could no longer be carried through so easily. That is shown by my statement.

Q Now, I will ask you about the letter from defendant Speer, which was sent to you by Speer on the 22nd of January, 1944, and I quote from this document, which is in the document book of the defendant Speer. It is number Speer 06. In this particular document Speer draws your attention to the insufficient utilization of manpower.

DR. FLAECHSNER (Counsel for defendant Speer): In my document book I have included a letter which refers to a subject which is about to be brought up here. Whether or not I am going to use the document will only transpire as the trial progresses and I do not consider it proper that the Prosecution use my documents before I myself have had a chance to bring my case up before the Tribunal.

Please, may I have the Tribunal's decision?

THE PRESIDENT: The Tribunal thinks the motion should be granted and that you ought not to be allowed to use the document until the defendants' counsel have used the documents.

GENERAL ALEXANDROV: Mr. President, May I ask you then, to exclude from the transcript the preceding question which dealt with the lack of manpower resources in Germany because if this motion is granted there is no sense to the previous question.

THE PRESIDENT: Very well, if you wish it.

GENERAL ALEXANDROV: Yes, I ask that.

H0145-0043

BY GENERAL ALEXANDROV:

Q Now, your defense counsel put before you and acquainted you with document 69 during the session of May 29. This document deals with the treatment of foreign born workers. The document number is 68. I shall not go into detail as to the document and I will limit myself to your answer to defense counsel as it appears in the transcript.

I read the transcript:

"Sauckel: First of all I would like to state the fact that this document was composed on the 6th of March 1941; in other words there is a difference of one year, with reference to my stay in office.

"Since this document is being presented here I shall add to my case documents which confirm or acknowledge the fact that I automatically destroyed similar orders. Second, in such a case I could not have given such orders to any agency in the Reich."

Do you remember this testimony of yours given at the session of the 29th of May of this year?

A Yes.

THE PRESIDENT: General, I am told that this is an incorrect translation. It was revoked and not destroyed. You said "destroyed" did you not?

GENERAL ALEXANDROV: I read the Russian transcript and perhaps there are certain inaccuracies in it but I do not argue against the word "revoke" because the meaning of it, after all, remains the same.

THE WITNESS: May I ask that this story be repeated because I am not quite clear about it.

BY GENERAL ALEXANDROV:

Q No, I do not want to refer to document 68. All I want to find out is whether, in reply to your defense counsel, this is what you stated. You do not argue against the transcript of your testimony which was read by me? That is the same statement you made here, that you spoke about on the 29th of May?

A No, but I do not quite understand what the conception as to the word "destroyed" has to do with what you have just been talking about.

Q Well, one must employ the term here not of destruction but of revoking or rescinding.

H0145-0044

A That is possible.

Q You confirm your testimony which I have just read to you from the transcript?

A Yes.

Q Now, tell us, do you remember in what particular conditions were Ukrainian women and girls from occupied territories placed by you, people who were drafted to work in German agriculture?

I shall hand you document USSR 365 -- I beg your pardon, 383.

(Witness handed document)

H0145-0045

THE PRESIDENT: Do you have the PS number?

GENERAL ALEXANDROV: No, sir; this is a USSR document.

BY GENERAL ALEXANDROV:

Q In this document there is an appendix number 2 to your directive dated the 8th of September, 1942. That appendix is called "Instructions to housewives as to the utilization of foreign workers in agricultural and household tasks."

Do you know this document? Do you remember this instruction or notice?

A Yes.

Q I shall read a few excerpts in order to characterize what kind of conditions were placed by you upon these Ukrainian women and girls who were sent to work in Germany in agricultural and household tasks.

Please find Paragraph B, "Registration with the Police." Have you found that? Then, "Medical treatment and control." Have you found that? "Registration with the Police", and "Medical treatment and control."

A No, not quite.

Q Paragraph B. Have you found it?

A Page 4?

Q It is the paragraph that has to do with registration with the police and medical treatment and control. There is written here:

"Eastern workers must carry their registration with them, with the marking on the right side."

A But I haven't got that.

Q You will find it later, because it is included in there.

A But I must be able to follow you.

Q Have you found it?

A Yes.

Q Now paragraph 4, which is entitled "Labor Conditions". It is written here that Eastern female workers who are being used

H0145-0046

for household work in the Reich must work under specific labor conditions. What were the specific German labor conditions?

Now please find paragraph 9, "Free Time". The first line deals with the right to have free or spare time. It states that these Eastern female workers do not have any right to have any spare time.

A But please read it all. It says that just as with other German household staffs--

Q I wish to interrupt you. I shall read the whole paragraph right now, the whole ninth paragraph.

THE PRESIDENT: General, I don't think you should interrupt him when he is making a legitimate explanation. You should wait until he has made his explanation, and then draw attention to anything in the rest of the document that you wish to. Now, what did you wish to say, defendant?

THE WITNESS: I asked that a further part should be read. I was thinking of a sentence in which it is stated that, nevertheless, weekly assistance could be granted. Perhaps I may read the sentence: "Household workers from the East may principally only move about outside the household when they are dealing with matters of the household, but they can, nevertheless, if they have proved themselves, be given the opportunity to go out once a week, that is, the same as German workers."

BY GENERAL ALEXANDROV:

Q It is written differently here. There was no leisure time allowed. It is stated that there may be a possibility, for the duration of three hours, once a week, to stay and not do any work, outside the confines of the household, should the work be ended by the time darkness falls. In other words, we are not dealing with one full day, but only with three hours.

A But I didn't say that. This evening time, because of the blackout, applied to German household staffs as well during war.

H0145-0047

Q Please find paragraph 10, "Leisure time leave and return to one's country." That is the title of this particular part. Have you found that? It is written here: "No leave should be granted. Eastern female workers who are being used in households are being mobilized for an indefinite time."

THE PRESIDENT: Don't you think you can pass on from this? You know, this isn't a matter of very great importance.

GENERAL ALEXANDROV: Mr. President, I would like to have the defendant Sauckel explain to us the apparent contradiction between his testimony before his defense counsel in regard to document 668, and in connection with this particular construction as to how they utilized these Eastern female workers in German households. I would like to have an answer from him in order to do away with this apparent contradiction.

THE WITNESS: I am in a position to give an exact answer to that.

BY GENERAL ALEXANDROV:

Q Yes?

A This paper wasn't only written by me, but a large number of points had been inserted and demanded by the Reichsfuehrer SS. As early as spring of 1943 I succeeded in having these paragraphs altered, and the uncertain time of service for Eastern workers was limited to two years. Then, further, in a document -- which, in my opinion, my defense counsel should still submit to this Tribunal -- it states that I achieved the altering of too-limiting instructions regarding Eastern workers, and through my efforts they were, in fact, done away with. I made efforts from the beginning., as I stated in my first answer, and all these restrictions were taken away so that they were equal to other foreign and German workers. That wasmy aim, it was the meaning of the conception of my office. I wanted to see this done with reference to the Eastern workers because they were the best workers we had in Germany.

Q I shall now go on to the next question.

On the 18th of August, 1942, in Krakow, you met the defendant Frank . I shall read to you what is written in regard to your conversation with the defendant Frank. This is document USSR-223, and your conversation is recorded there. This is the diary of Frank as to 1944, and I refer to page 918.

H0145 - 0048

"Dr. Frank: I am very glad that I can officially inform you that up to now we sent to Germany over 300,000 workers. Not so long ago you applied to us to send 140,000 more workers. Besides those 140,000, for the next year you may count on new shipments of workers from the Government General, because we shall use police force for the recruiting or drafting of workers."

Does thatcorrespond with the facts? Did such a conversation between you amd Frank take place? Was it correctly written in his diary?

A I cannot possibly compare a record which I have never seen before, and the details of which I cannot possibly recollect. I cannot say, on the basis of the documents before me, that the use of Polish civilian workers --

THE PRESIDENT: If you don't remember, why can't you say so and stop?

BY GENERAL ALEXANDROV:

Q Did he speak to you about using his police methods when recruiting manpower, or did he not say anything about it? Do you remember this or do you not?

A I cannot possibly remember this conversation, which occurred in 1942. Conditions at that time were so utterly different.

Q In his activities so far as the recruiting of manpower was concerned, did the defendant Frank use police measures or police methods? Do you know about that?

A I cannot, on the strength of my own knowledge, tell you how far the Governor General solved this problem with police forces. Please ask him yourself.

GENERAL ALEXANDROV: I am submitting to the Tribunal document USSR-469, which characterizes the methods of recruiting manpower which were used in the territory of Poland. This document is an official order printed by the Kreishauptmann in the Minsk or Warsaw District. It is dated the 2nd of February, 1943. This order is given to Kazimier Nowa, who was born on the 6th of May, 1926, and who lived in Dyzin, the village of Kotbiel, and it is stated:

H0145-0049

"On the basis of an order as to the labor draft, dated 13 May 1942, page 255, I order you to work in the Reich." And here is what is written at the end of this order: "In the event that you disobey this order" --

THE PRESIDENT: Is this a document you are offering in evidence now for the first time?

H0145-0050

GENERAL ALEXANDROV: This document is being presented for the first time.

THE PRESIDENT: Have you got any copies of it?

GENERAL ALEXANDROV: Yes, I have, and naturally you should be given the document.

It is now being presented with the text in German.

THE PRESIDENT: Are you offering it now for the first time, or is it already in evidence?

Didn't you hear that?

GENERAL ALEXANDROV: Yes. This document is being presented for the first time.

THE PRESIDENT: We do not seem to have it, anyhow. I mean, I do not have a copy of it.

GENERAL ALEXANDROV: The original document was given to the defendant, and the copies in German were given to the Tribunal.

THE PRESIDENT: I have it now in German.

BY GENERAL ALEXANDROV:

Q It is stated:

"In case you disobey this order relating to forced labor, the members of your family (parents, wife, close relations) will be placed in the police camp and will be liberated only after your appearance. Moreover, I reserve to myself the right to confiscate your real and personal property and also the real and personal property of the members of your family.

"Moreover, in accordance with Paragraph 5 of the above mentioned order, you shall be punished with confinement in jail or confinement in a concentration camp."

Did you know anything about the fact that such methods of recruiting manpower in the territory of Poland were used?

A I can openly and clearly answer by saying that the threat of such penalties was completely unknown to me in this particular form, and that I would never have approved of them if I had heard of them. I would have stopped it at once.

But may I be asked to be allowed to tell the Tribunal that this appendix at the end of this document, from my office's point of view, is

H0145-0051

incorrect, and it was not approved by me. What is correct is the first paragraph of this document, which I would like to have permission to read. That is in keeping with the German Workers' law. It says:

"Based on the law of the 30th of May, 1942, I will call you up to work in the Reich. Your employment in the Reich will take place in keeping with properly regulated working conditions, and the payment will be in keeping with the scale of pay. Savings can be transferred to your home by you. Close relations to whose support you have up to now made important contributions can apply to the labor office for special allowances from the labor office."

THE PRESIDENT: We need not have the details.

BY GENERAL ALEXANDROV:

Q I want to remind you of certain directives which were given with regard to manpower, directives which were issued by the higher government authorities in Germany, and also personally by you in your own program. The document is USSR 365, and you wrote the following.

A I do not have it here.

Q You will be given the document and you may find the place.

Did they show the place to you, the part which I am going to read into the record now?

A Yes.

Q It is written there:

"In connection with this, it is necessary to utilize fully all the manpower resources present in the occupied territory. If it is not possible to obtain the desirable manpower by volunteer methods, then it will be necessary to use the methods of forced recruiting."

Did you give such directions?

A No, I have not found the passage. It has not been pointed out to me properly.

Q All right. You will be shown again at once; page 8 of the Russian text.

Did you ever give such directions?

A In the occupied territories, I have not been able to regulate the calling up of labor. That would have to be done by the local authorities. But I did not understand that there were such threats of penalties as have been

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obtained in this document signed by Bittrich. I was thinking about the example of German ruling, and that was very different, indeed.

Q But was what I read to you right now written in your program, or was it not written?

A It says so in my program.

Q All right.

A I have already especially mentioned that the Fuehrer gave me that order.

Q Let us go further. In the letter of the 3rd of October, 1942, addressed to Gauleiter Meyer-- this is Document No. 017 PS -- you wrote the following. Now this document is going to be presented to you. Will you please follow my reading? Did they show you the place?

A Yes.

Q It is written there:

"I do not ignore the difficulties which exist for the execution of this new requirement, but I am convinced that with the ruthless commitment of all

H0145-0053

resources and withthe full cooperation of allthose interested, the execution of the new demands can be accomplished for the fixed date."

Did you write that?

A Yes, I wrote that. But I want you to let me explain it in detail. In all these instructions whichI gave, I demanded considerate treatment for human beings. That has already been proved in the trial. If I had known of the ruthless use of means -- and by that I mean the ruthless use of all technical and propaganda arrangements -- I would have stopped them. There had been reports to me that recruiting measures were not sufficiently employed on the spot. That is for explanation and "pre-history" of this letter.

Q On the 31st of March, 1942, you sent a letter to the Reichskommiss. That is Document No. U.S.S.R. 127. This will be presented to you in a moment. You wrote in this document the following:

"Recruiting for which I have been responsible must be enforced or speeded up by all acceptable measures, including a very severe application of principles of forced labor, so that in the shortest possible time it wil, be possible to treble the number of recruited people."

Did you give such directions?

A They were instructions of mine, and I gave them. I did not mean criminal or bad methods when talking about the "duty to work". I was more thinking of fulfilling the figures.

Q Now I shall cite a few excerpts from documents of other people. I shall now read an excerpt from a speech by Defendant Rosenberg. This is Document No. U.S.S.R. 170. The document is a transcript of Rosenberg's speech, which was delivered at the gathering of the German Labor Front in November, 1942. I shall read a short excerpt from this speech:

"Millions of wretches trembling with fright react the same way --

A (Interposing) I have not found it.

Q You will be helped in a second.

THE PRESIDENT: Perhaps we had better recess now.

(A recess was taken until 1400 hours.)

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AFTERNOON SESSION

(The hearing reconvened at 1400 hours, 31 May 1946.)

DR. NELTE: Mr. President, I should like to draw the Tribunal's attention to the following fact: General Alexandrov this morning referred to Document 744-PS. First of all, a document was given to me which was described as the German translation. That translation contains obvious impossibilities.

THE PRESIDENT: Dr. Nelte, you said 744-PS?

DR. NELTE: 744-PS.

THE PRESIDENT: I haven't got any note that he referred to that document. I don't know whether he -- did you refer to 744-PS this morning General Alexandrov?

GENERAL ALEXANDROV: Yes, I did refer to that document. It was a telegram of Defendant Keitel dated July 1943, and referring to the utilization of prisoners of war in the mining industry.

DR. NELTE: Then the Russian prosecution supplied the original, that is to say the photostat copy of a letter dated 8 July 1943, signed by Keitel. I now have two German versions before me which, not only as far as the contents are concerned, differ a great deal, but the translation even contains an addition which is not contained in the original. That is to say, the heading of the letter, Chief of the Supreme Command of the Armed Forces, has an addition, Armed Forces General Staff. I do not want to delay you, sir, by referring to the other incorrect translations, but I must assume that you have the texts in the foreign languages before you which, from the re-translation, appeared to me to be incorrect. Since this document, the original I mean, is the exhibit and is not being objected to, I should like to ask you to make an order that the translations in the foreign languages which you have before you should be checked to establish how far they differ from the original document.

THE PRESIDENT: Had the document been put in evidence before: Had it been offered in evidence as an exhibit?

GENERAL ALEXANDROV: PS-744.

H0145-0055

THE PRESIDENT: Well, that doesn't mean that it has been put in evidence. That only means that it is identified in that way. Had it been offered in evidence before?

GENERAL ALEXANDROV: I do not know the U.S. number of this document, but as far as I know, this document was submitted in evidence to the Tribunal. On the German copy of this document there is a reference which states that the German translation was made on the 26th of November 1945, by 2d Lt. Niebergall. Inasmuch as Dr. Nelte finds some deficiencies in this translation, I believe that we should ask the translation division to check it.

THE PRESIDENT: I think that is the best thing to do, to have it checked by the translation division. We will order that that shall be done at once.

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Q Now, the transcript of defendant Rosenberg's statement will be handed over to you. I will limit myself to very short excerpts from this transcript. Please read after me. "A section of these mobilized workers believe that the road to Germany is somewhat similar to the road to imprisonment and the road to Siberia." And further, I quote: "I know that if one halfmillion came here, we cannot create brilliant conditions for them. The fact that thousands of people who are here live in bad conditions or are submitted to bad treatment is quite natural. It is not worth while to be too preoccupied because of that; however, this is a very grave question. I believe that Gauleiter Sauckel has already discussed it or will do so, for these people from the East have been brought to Germany in order to work and to work as much as possible. It is a very earnest matter to get this work out of them. It is not right to bring them over three-quarters frozen and to make them stay standing during their voyage hours on end. We must give them food in order that they should have sufficient strength in them." Is this correct? Does defendant Rosenberg correctly describe the conditions in which the workers brought by you from the Occupied territories were handled or do you consider this statement of defendant Rosenberg not correct?

A I cannot say or recognize when Rosenberg made this speech. I myself didn't hear it or receive the notes of it but I can definitely state that as soon as I came into office, I did make considerable preparations so that conditions as they are being discussed by Rosenberg in this connection -- which did not in any way have any connection with my term of office -- were to be avoided under any circumstances, because it was for that purpose that I issued these individual instructions of mine just to prevent such conditions; and for every nation working in Germany, I published hundreds of valid and standing instructions of a legal nature which I brought about, which made that sort of thing impossible. That is all I say to that in so far as conditions are concerned during my term of office.

GENERAL ALEXANDROV: Mr. President, I will limit myself to this single excerpt from defendant Rosenberg's speech and will not utilize time when numerous documents have already been submitted to the Tribunal and which ascertain without any possibility of doubt, the criminal methods of the organization

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of manpower in the Occupied Territories adopted by Sauckel in view of deportation of slaves to Germany. I will only submit to the Tribunal one single new document which is USSR Exhibit 458. This document is a certificate of a worker issued by the German authorities in Breslau to the Polish working woman, because there is a stamp on the reverse, and the worker woman has testified under oath that these certificates were issued by the German authorities in 1944 in the town of Breslau to all foreign workers. I find together with this original document, a certificate of the Polish State Commission which quotes the testimony of the witness Maria Adler.

BY GENERAL ALEXANDROV:

Q Defendant Sauckel, have you looked at that worker's certificate? Have you found this picture of a pig on that care?

A Yes.

Q Did you know of the existence of such cards with the picture of a pig, which are insulting to pride and human dignity?

A Such a card and such knowledge, I did not have. I can't recognize this speech, at any rate. I can't recognize what it is meant to be. I had nothing at all to do with this and I don't the meaning of such a card and I don't know what I could do with it. It is impossible and it wasn't the task of the labor administration to fix such a thing.

Q Did you have any knowledge of the existence of such cards and their utilization?

A No. This card and such stories, I had no idea. I had neither any interest nor any reason offending anyone working in Germany. I cannot guess and I don't know what this was meant to be.

Q Now, I will quote a brief excerpt from USSR Exhibit 139. This is a transcript of the conference of Reichsmarshal Goering, dated 1942. I will quote that part of this statement in which defendant Goering gave an evaluation or an opinion of your activities. Reichsmarshal Goering said: "To that I must say that I do not wish to laud Gauleiter Sauckel, he does not need it but what he has done in such a brief time in order to collect the workers from all over Europe and to bring them to our factories, is an unique feat. I must say to everybody that if everybody, each one in his sphere of action, could apply a tenth of the energy which has been applied by Gauleiter Sauckel, then indeed,

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the tasks which have been assigned to you would be easily fulfilled. That is my standing opinion and not at all beautiful words." Did you hear such an evaluation of your activities from Reichsmarshal Goering?

A It is possible that the Reichsmarshal said that. I cannot remember the details of a meeting that took place so long ago. What is correct is that I, as a man, as a member of my nation, had the duty of doing my duty. My documents prove that I tried to do my duty decently and humanely and that, I think, was enough.

GENERAL ALEXANDROV: I will submit to the Tribunal now document USSR Exhibit 462. It is an article by Dr. Friedrich Giegler, which appeared in the Reichsarbeitsblatt, in 1944 and 1945. This is an official publication of the Reich Labor Ministry and of the General Plenipotentiary for Manpower. The article is entitled "Fritz Sauckel, to his 50th anniversary."

BY GENERAL ALEXANDROV:

Q I do not intend to quote this article as it is only a laudatory article but I would like to ask you, defendant Sauckel, are you acquainted with this article?

A I do not know this article. I can't say what is in it. I didn't always read the Reich Labor Magazine. The periodical wasn't issued by me and it is an old institution of the Labor Ministry which contains all the decrees published by that Ministry and also thedecrees of Weimar in the Reich Labor Pamphlet all testify to my concern for the foreign and German workers.

Q Then you will have to acquaint yourself very rapidly with the contents of this article. It will be handed to you.

THE PRESIDENT: What document is this that he is reading?

GENERAL ALEXANDROV: It is an article in the Reichsarbeitsblatt, entitled "Fritz Sauckel, to his 50th anniversary." We are submitting this document for the first time as USSR Exhibit 462.

BY GENERAL ALEXANDROV:

Q Are you conversant with it? Tell us, does this article correctly characterize your political activity?

A The author of this article is an expert and I can't give any comments on the birthday article. It is a generally correct representation of my career and my sphere of work.

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Q And one last question. In a speech which you made at the first meeting of the staffs for the utilization of manpower, in January of 1943, at Weimar, you stated, and I quote according to the third book of documents of your defense counsel, document 82. I read: "Now, as far as the foundations of our work is concerned...." I skip one first point. "We are true to the Fuehrer and to the people. It gives a justification for the execution of the severest measures." I repeat: "Now as far as the foundations of our work is concerned..." I skip the first point and read point two: "We are true to the Fuehrer and to our people. This loyalty gives us a justification for the execution of the most cruel measures." And then, the end of this document: "In this respect, I will assume another major responsibility." Now, tell me, as to this forced deportation to slave labor, do you consider yourself responsible for this and for the misery of the millions who were sent into slave labor? Do you consider that you are also responsible that you have selected the dismal period of shavery?

A I am most grateful to you because you have quoted that document at this very moment. I should be grateful to you if you could put this document before me so that I can give the correct representations of my views.

Q This is a document from your defense book and if it is considered necessary, you can ask your defense counsel to examine you again.

GENERAL ALEXANDROV: I have terminated the examination of the defendant Sauckel, Mr. President.

THE PRESIDENT: Dr. Thoma, do you want to re-examine again?

H0145-0060

RE-DIRECT EXAMINATION

BY DR. THOMA (Counsel for Defendant Rosenberg):

Q Witness what was Rosenberg's part as Minister for Eastern Affairs in carrying out the employment program?

A The part of his ministry in carrying out the employment program was that the departments under his direction in theEastern Ministry should receive my wishes and directives. That is to say, of course, where they were connected with my task. I was not, of course, in any way connected with any other departments in the Eastern Ministry.

Q Did not Rosenberg tell you repeatedly that he would give Reich Commissioner Koch directions to use his supreme powers?

A That is correct. It was within Rosenberg's task that he should give orders to Reich Commissioner Koch, who was under his command in every sector of the administration there.

Q So that the way you understood it was that he should give him instructions. In whatway?

A Rosenberg had and should, as we had especially agreed, to give instructions to Koch to stop an unpermissible methods which were against my instructions, and that Rosenberg did.

Q Rosenberg, through referring to the powers of the Reich Commissioner, wanted to say that your recruiting methods were to be prohibited, and that it was no longer to be permitted that your Action Groups, Einsatzgruppe, should take Eastern workers away?

A That Rosenberg never said before me, no. These commissions during the time they were there in the Ukraine came under the Einsatzgruppe department under Koch, and he was the supervising authority, and he had the administrative authority for such matters. That is quite clear.

DR. THOMA: May I point out to this High Tribunal that a document, Rosenberg 10, shows that Sauckel didnot understand Rosenberg's statement in this connection.

THE PRESIDENT: Did you refer to some document there, Dr. Thoma?

DR. THOMA: RO-10.

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DR. SERVATIUS (Counsel for Defendant Sauckel): Mr. President, the re-examination of the witness through the Defense Counsel for defendant Rosenberg, must be limited, for the Defense, to such matters which have now been newly mentioned and which are up for argument. Every opportunity existed when his client took the witness stand to clarify these questions. I intended to clearup this question on my own initiative, but it was indicated to me that I ought to ask Sauckel. Sauckel made a clear statement and, in my opinion, there is no cause once more to come back to documents in this connection which belong to a previous period of the Defense, and I object to such questioning.

THE PRESIDENT: Well, Dr. Thoma, I think you had better go on and ask your next question. I have not got the document before me yet that you are putting to the witness, or referring to. What is your next question?

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BY DR. THOMA:

Q Mr. Witness, did you not have in your program all responsibility for the employment scheme, and did you not assume all such responsibility?

A I assumed responsibility, and I confessed it, within the limits of my powers. I can not do more than that, and for what I have ordered and for what I have caused -- this collection of decrees --

THE PRESIDENT: Dr. Thoma, the defendant has been over all this before. He has been all through this before -- about his responsibility.

DR. THOMA: Mr. President, may I point out to you that regarding the question of responsibility, there is a certain paragraph which has not yet been read. It is Document 016-PS, referring to the workers' program, and it says under page 17 of the document:

"All technical and administrative procedure of employment are matters exclusively for the jurisdiction and responsibility of the General Plenipotentiary for Labor, as well as the Labor Offices --"

A In Germany, Dr. Thoma. Outside Germany they were, of course, tied to the chiefs of the districts in question. That is quite obvious.

DR. THOMA: I draw the attention of the Tribunal to page 15 of this labor program, in reply to that answer, and Figure (1), which I have just read, comes under the heading "Prisoners of War and Foreign Workers".

A As far as they were employed in Germany.

BY DR. THOMA:

Q May I point out that it states clearly under (1):

"All technical and administrative procedure connected with the employment program --"

A And I want to point out to you that it was not possible for me to interfere with Koch's powers. He expressly said that he would resent that.

Q Witness, the General Plenipotentiary for the Four Year Plan especially provided you with powers, referring to all departments, and in my opinion, it is not right that you should now deny methods of recruitment and pass responsibility for them on to the Eastern Ministry.

DR. THOMA: I have no further questions.

DR. SERVATIUS: Mr. President, the Defense Counsel for Rosenberg may put questions, but it does not appear to me to be the right moment for him

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to make a prosecution speech against my defendant.

MR. DODD: Mr. President, I am well aware of the facts that there have been two cross-examinations, and I have no desire to go on with another one. However, we do have one document that we think is of some importance and which was turned over to General Alexandrov, but I think there must have been some language difficulty in it. The translation was not presented. I would like the permission of the Tribunal to ask one or two questions of this defendant about it and to present it. I think it is rather important that it be presented.

THE PRESIDENT: Mr. Dodd, the Tribunal does not think that this ought to create a precedent, but in view of your statement that the document was supplied to General Alexandrov and that, for some reason, he did not deal with it, we will allow you to cross examine upon it.

MR. DODD: Very well, sir.

CROSS EXAMINATION -- Continued.

BY MR. DODD:

Q. Mr. Witness, do you remember an occasion in 1942, just after your appointment, when you met with some officials of the Ministry of Labor and you discussed with them the program which you were about to institute and over which you were about to take, for which you were about to take responsibility? Do you recall it?

A. I can not, of course, remember details of that discussion. Several points were discussed, and it may be I can also refer in this connection to the attitude of the Defense Counsel for Defendant Rosenberg, and say that what he has been quoting --

Q. I simply asked you if you remembered this meeting, and you said you did not, and now there is the document.

A. Details of that conference I do not remember.

Q. Take a look at the minutes of the meeting.

THE PRESIDENT: What is the document?

MR. DODD: This is EC 318.

THE PRESIDENT: Has it been offered or not?

MR. DODD: I am now offering it. I was waiting to get the number from the Secretary.

H0145-0065

I will have to get the number a little later, Mr. President. I haven't made preparations to submit this document, so I didn't have the number in advance.

BY MR. DODD:

Q. Now, I want to call your attention particularly to a few passages. You start out by telling the officials who were gathered there that you want to closely cooperate with them, and then, moving along, you give some idea of the number of workers whom you intend to recruit. You say there is an estimated requirement of one million, and you also made perfectly clear that day that you were to get most of these workers from the east, and particularly from Soviet Russia.

You tolf these officials that you had talked for several hours with the Reichsmarshal, and that you were all agreed that the most important problem was the exploitation of the manpower in the east.

You further stated -- do you see that in there?

A. Where does it say "exploitation"? I don't find that word.

Q. Well, do you find where you say you had discussed your task with the Fuehrer in a conversation that had lasted for several hours? Do you find that?

A. I can't find it.

Q. You have the German there before you, don't you?

A. Yes, but please will you be kind enough to tell me the page?

Q. Have you found it?

A. Mr. Prosecutor, I want to point out to you the difference between the words "exploitation" and "use of". "Exploitation" has a connotation which, in workers' langauge, is somewhat smelly, but "use of" is quite an ordinary word, and to make use of a matter means that you make available the use of it, and there is quite a difference in the German language.

Q. Well, we'll stand by ours and you may stand by yours, and the Tribunal will ascertain between the two of us who has the correct translation.

In any event, whether you said "use of" or "exploit" you did say

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that the most important solution was either the use of or the exploitation.

A. But that isn't the same thing, Mr. Prosecutor. In German there is an elementary difference in the language. I must point out that, that the word "exploitation" is a word which I didn't use and didn't want to use.

THE PRESIDENT: Defendant, would you speak a little bit lower. You quite drown the interpreter's voice.

THE WITNESS: I beg to apologize. my Lord.

BY MR. DODD:

Q. I am not concerned whether or not you agree with the word "exploit".

A. That is a very important poart of this document, as I think you recognize.

Q. I won't argue with you.

A. That word is most important from the human point of view.

Q. I don't care to have any argument with you at all.

THE PRESIDENT: Defendant, the Tribunal is perfectly well able to understand the difference between the use of the words, and you have told us the translation you say is right.

BY MR. DODD:

Q. Now, if you move on a little bit, do you recall having said that one million Russians would have to be brought into Germany as rapidly as possible, to become available even prior to the offensive

It is the next sentence or two there in your text. You won't see it by looking at me. Do you read the next sentence?

A. Yes, I read the next sentence: "The prerequisite for taking on the task would be the assurance that Russians would be fed approximately the same ration allowance that was in force for the German civilian population".

Q. You have skipped the sentence that I want you to read. I know that one comes along, but I want you to read the one where you say you would have to bring one million Russians into the Reich as rapidly as possible, and that is the very next or almost the next sentence after the one you have been discussing, about the word "exploit" or "use of".

A. "---must be brought to the Reich as quickly as possible".

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Q. That is all I want to know. Do you remember saying that?

A. Yes, I said that, but I must say in connection with this question that this is a record which I have never seen before

H0145-0068

or checked. Someone made it, but I didn't have it put before me.

Q Well, I suppose it could be truthful even though you didn't make it.

Let's move on here to the next to the last paragraph, and you will find a sentence which suggests:

"They" -- referring to theRussians -- "would have to be handled so roughly by the German administration in the East that they should come to feel that they would prefer to go to Germany for work."

Do you find that?

A Will you tell me where I can find that sentence?

Q Well, it is right after the sentence where you talk about your negotiation with Himmler. Maybe that will help you.

Do you find where you say you had negotiationswith the Reichsfuehrer SS; you succeeded in getting him to remove the barbed wire? Surely you have read that.

Do you find the sentence:

"They would have to be handled so roughly by the German administration in the East that they should come to feel that they would prefer to go to Germany to work."

Do you remember saying that?

A I can't remember that expression, and I can't say for a fact that I said it because I have already stated that these minutes are proclamations which I myself didn't make. I cannot tie myself down to something which a third person has written down from memory. This is not a shorthand record, and it isn't signed by anyone.

Q I don't think you need to give usany long dissertation on thefact that it is somebody else's minutes. It isn't offered to you as being --

A (Interposing): Yes, but I have the right to say so.

Q Let me put a question to you once in a while. I haven't suggested that these are your minutes. I have merely put it to you for the purpose of determining whether or not on seeing it you remember it. And do you or do you not remember it?

A I certainly do not remember that passage. I can only read here something written by a third person and I don't know who it was. He may quite well have misunderstood me.

H0145-0069

Q Well, you also find you did have some conversations with the Reichsfuehrer SS. Do you remember having said that in the course of this conversation or speech or whatever it was that you were making?

A The Reichsfuehrer SS approached me on several occasions and I had to get the Reichsfuehrer SS to remove barbed wire fences. I did that. Right at the beginning of my term of office, the instructions of the Reichsfuehrer SS were being alleviated by me, and that, of course, caused arguments between us.

Q The that part of theminutes of this meeting is correct, isn't it? The reporter, or whoever it was that took this down, correctly reported what you said about your negotiations withthe Reichsfuehrer SS, did he? You find no fault with that?

A What he wrote down in detail about what I am supposed to have said, I haven't yet read.

Q Now, listen. You look back at that paper at which you have just been looking. You find fault with the sentence that reports that you said they were to be handled roughly in the East, but you don't find fault with the sentence ahead of it which says you had the barbed wire taken down, isn't that so?

You seem to be complaining about the fact that this was somebody else's report and not yours. Have you read it?

A No.

Q It is the sentence just before the one we have just been talking about.

Do you really mean you can't find it? Do you want help?

A Two pages appear in duplicate here.

Q All I ask you, Mr. Witness, is whether or not the sentence about your meeting with Himmler is a fairly accurate report of what you said. Is it?

A That I cannot tell you from memory. I had very few conversation with Himmler. There may have been negotiations carried out by my offices. That I can't tell you.

H0145-0070

Q Well, your answer to all of this is, then, that you don't remember what you said there; this doesn't help you any to remember.

A You cannot possibly expect me to remember exactly events which were fleeting, and which took place so long ago.

Q I am perfectly willing to rest it there. There is the written record against your failure of memory, and I will leave that with the Tribunal.

THE PRESIDENT: Mr. Dodd, I think you should put to him --

THE WITNESS (Interposing): I didn't know before.

THE PRESIDENT: I think you should put to him the next paragraph, "Thirdly..." which follows after the sentence about handling them so roughly.

MR. DODD: Yes, sir.

BY MR. DODD:

Q Now, if you will keep your finger on that place that you have there, you won't lose it, and you will find the next sentence begins:

"Thirdly, he had termed the prevailing wage rates decreed by the Reichsmarshal as intolerable, and had persuaded the Reichsmarshal that Russians should have the possibility to earn up to one-half of the wages of German workers."

With reference to that statement, what had the Reichsmarshal suggested, by the way?

A Before I took up my appointment -- and I have talked about that at length to my defense counsel -- there were instructions from the Ministerial Council regarding wages, and I continuously improved those wages, four times, in fact, as far as I could manage to.

THE PRESIDENT: That is not an answer to the question. The question you were asked was: What had the Reichsmarshal suggested as the wages for these workers? You can answer that.

H0145-0071

A The Reichsmarshal did not make any suggestion to me. When I came into office I found provisions which I considered insufficient.

Q Well, tell us a little more about it. What do you mean insufficient? You use the word here "intolerable." What was the situation when you came into office with respect to wages?

A I have already said that during the examination by my defense counsel and I have an example to show that. An eastern worker, when I came into office, drew wages of about 60 pfennige per hour, which after deductions for food and lodging would leave him about four and a half marks in cash. I altered that after I came into office and the cash payments were doubled after I came into office. It was probably the purpose of the earlier instructions, for reasons of currency, that too much circulation of cash should be prevented.

MR. DODD: This exhibit, Mr. President, becomes U.S.A. 881.

I have no further questions.

DR. BALLAS: Dr. Ballas replacing Dr. Horn for defendant von Ribbentrop.

RE-DIRECT EXAMINATION -- continued

BY DR. BALLAS:

Q I have a few questions to put to the witness.

Yesterday during cross-examination when a diplomatic organization under the French Ambassador Scabini was discussed you made the statement and it was said that this was done for Frenchmen in Germany. Is it true that it was on defendant Ribbentrop's request that this was organized?

A It was the wish of both sides, we both had the same interests. That is correct.

Q Can you tell me the reasons which caused von Ribbentrop to create this organization?

A The reasons for this were, in my opinion, to create understanding between the French and German population by means of having particularly careful welfare for Frenchmen working in Germany.

Q This diplomatic organization was also responsible for the treatment of French prisoners of war. Just one minute.

Can you tell me what reasons caused the German Foreign Office to make such an arrangement even when there was still a state of war between

H0145-0072

France and Germany and establish an institution which after all is unusual?

A There were conferences between the French Government or Marshal Petain and the German Government and there were careful attempts made to bring about an understanding.

Q I am thinking of the unusual measures that referred to prisoners of war.

A Not only because of that but I also considered it a particular necessity and I wanted to say in that connection that this organization did not in any way get divided later on. Apart from Scabini there was Herr Braehne who was particularly taking care of French civilian workers.

Q Is it true that defendant von Ribbentrop in the Foreign Office created an organization for the purpose of bringing artists, lectures and books from occupied countries into Germany so as to win these workers over and have them return to France as friends of and with an understanding of Germany?

A It was the purpose of an agreement between the Reich Foreign Minister and with the collaboration of the Reich Propaganda Ministry and the Greman Laborers Front and my service department, that this organization was created so that foreign artists and lecturers should make the free time of these foreign workers pleasant. Many Russian artists came to Germany for that purpose and they also served the purpose of bringing periodicals and books from their home countries to these people.

DR. BALLAS: Thank you, we have no further questions.

DR. SERVATIUS: Mr. President, for the purpose of rectifying the draftsman's error in document 1 I shall just try and obtain confirmation from the witness.

(witness handed document)

BY DR. SERVATIUS:

Q Witness, under the "Bedarfstraeger" you have mentioned Dr. Funk's department.

A Yes.

Q And when you go down you will find in the third box the armament inspectorate and under that the Reichsautobahn. These two departments have been wrongly drwn by the draftsman. They do not belong there. Is it true that these two squares should have to be crossed off?

H0145-0073

A Yes, that is correct.

DR. SERVATIUS: May I ask, Mr. President, that the drawing be rectified by merely raising these two squares? They belong to Speer's ministry but I have not concentrated on that side and I do not wish to have a discussion about it.

Then, from the Buchenwald photograph album there are a number of pictures which have been offered, which show the defendant together with Himmler.

BY DR. SERVATIUS:

Q Mr. witness, can you ascertain the time, approximately when that meeting took place, from that picture? There are certain indications which you have discussed with me. Will you briefly state that to us?

A Yes. The left-hand top picture shows that this is still a state of affairs during which construction work was still going on -- there is construction still taking place. I see unfinished roadbeds and such. This appears to be a period of construction, therefore.

Q And what can you say regarding the time on the basis of the dress of the various people?

H0145 - 0074

A. The dress shows quite clearly that this is a time before the war because Himmler was wearing a black uniform which, of course, he never wore during the war. Apart from that he was carrying a sword which was never carried during the war.

Q. Are these people wearing decorations?

A. That I cannot see as to whether they are wearing decorations.

Q. And so I can assume that these pictures were taken sometime before the war?

A. Yes, quite certainly some time before the war, because I myself have not worn a SS uniform during the war and not for sometime before it.

Q. The Document 810 was submitted yesterday. That is a report about a meeting on the Wartburg. On page 25 thereof is the German version of a report which was compiled by Dr. Sturm, according to which it had been said that there had been collaboration with the Gestapo in concentration camps and that was the right road to take. You were asked whether that was your view, that such collaboration would be correct.

How did you understand that? Do you want to say by that the methods in concentration camps, such as they were employed in practice by Himmler, were agreeable to you?

A. Under no circumstances. I wanted to indicate that it was correct as the document shows, that step by step the workers' discipline should be enforced if it was not obeyed. First of all there should be reprimands, then small interior fines which are in fact contained in my instructions 13 which I want you to submit in the document and that only after there had been reprimands and internal small disciplinary penalities and these were found insufficient should there be further treatment of these cases such as is mentioned in the document through the attorney general's office and through proper procedure. I was thinking of the correct penal procedure. Methods in concentration camps were not described as correct by me and they were not even known to me at that time in any way.

DR. SERVATIUS: Mr. President, I have a document, 1764-PS, before me and I have not been able to ascertain when and if it has been offered.

H0145-0075

I have only now received a photostatic copy. It is a so-called Hemmen report, a report which Ambassador Hemmen had made about a sector of the employment program in France. I want to read a short passage to the defendant which deals with the number of Frenchman employed in Germany, and I want him to confirm it.

BY DR. SERVATIUS:

Q. Witness, I shall read youa passage.

THE PRESIDENT: Dr. Servatius, it is not usual to allow documents to be put in re-examination. Why was this not used in examination in chief?

DR. SERVATIUS: There was an argument about figures during the cross-examination. That is why I wanted to put it. I was not too interested in finding out how many people were being sent back and forth.

THE PRESIDENT: Very well.

DR. SERVATIUS: But I can come to that when I plead.

THE PRESIDENT: The Tribunal was not saying you could not use it now. As it arose out of cross-examination, I think you may be able to use it.

BY DR. SERVATIUS:

Q. Witness, I should briefly like to read to you the important passage and I want you to tell me whether the conception which is represented there is correct.

Ambassador Hemmen's report in a letter of the 2d February 1944. It was received on the 2d February 1944, in the Foreign Office at Berlin.

"Reports under III as follows:

"Regarding the employment of workers in Germany:

"It started with voluntary recruitment of workers which until the end of 1942 produced four hundred thousand men. During the first half of 1943 two further voluntary actions for two hundred fifty thousand men each were being carried out. The first, which promised all the advantages of holidays; of prisoners of war, at the ratio of one to three, or the granting of the workers statute, produced some two hundred thousand men, whereas the second, by using the new compulsory service, that is to say, coercion, when carried out, only produced one hundred twenty-two thousand men."

H0145 - 0076

I skip the end of the page and come to page eight.

"The total result of the Saukel action is eight hundred thousand predominately men who went to Germany. Only 186, sixty-eight of whom came because of compulsory service and of those at the end of January 1944, there were still one hundred twenty thousand left".

These statements, as far as you can recollect, are they generally correct?

A. May I remark in this connection that Ambassador Hemmen at the embassy in Paris was dealing with these questions there and this is correctly stated. At the end I think you were probably thinking of 428,000, not 248.

Q. Yes, 428,000.

A. That is the decisive point, that because of that short duration of contracts for Frenchman who changed every six months, only one half could be there at one time.

Q. Yes, you have already said that.

A. As an explanation I would like the permission totell the Tribunal that if there was a ratio of one to three, meaing that Germany would give one prisoner of war in return for three workers, there there would have, after one and half years, been both prisoners of war as well as the French civilian workers who had replaced them, that they had both already returned to their own country because they only stayed therefor six months.

It was very hard to gain the Fuehrer's permission for that particular arrangement.

DR. SERVATIUS: I have no further questions, Mr. President.

THE PRESIDENTL We will adjourn now.

(A recess was taken).

H0145-0077

THE PRESIDENT: The Tribunal will hear some supplementary applications for witnesses and documents at 2 o'clock on Monday.

M. HERZOG: Mr. President, I would like to come back briefly to document D-675, that is to say, to the photograph showing the defendant Sauckel at the concentration camp of Buchenwald.

The prosecution has never pretended, and does not pretend now, that these photographs date to a period during the war. Quite to the contrary, the original, whichhas been shown to you, has the date of these photographs and the year is 1938.

The defendant, when he was examined by his counsel, told us that he visited Buchenwald in the company of Italian officers. I don't see a single Italian officer on these photographs; I simply see the Reichsfuehrer SS Himmler.

However, I do not dispute and I never pretended that these photographs dated from a year other than 1938.

DR. SERVATIUS: Mr. President, I have one last question in connection with document 82 from the document book Sauckel III, at page 206 and the following pages. On page 207 we find a statement under the number "3" which I should like to put to the defendant again, because the prosecutor for the Soviet Union has stated that Sauckel had declared here that there was no protection against crime. I would like to read the sentence to the defendant again and ask him for an explanation. I had quoted it before, but apparently there is a misunderstanding. It is a very short sentence: "You can ask for any kind of protection from me, but none for crimes."

BY DR. SERVATIUS:

Q Does that mean, witness, that you did not grant protection for crimes?

A On the contrary. From that document it can be seen very clearly that I did not tolerate any crime. I did not protect those people who were not subordinate to me when they committed crimes. They were not to do that; that was what I prohibited.

DR. SERVATIUS: I believe it can be seen very clearly from the wording that the explanationof the defendant as he has just given it is correct.

H0145-0078

I have no further questions to put to the witness.

BY THE TRIBUNAL (MR. Biddle):

Q Defendant Sauckel, I want to ask you a number of questions. Will you try to speak a little more quietly and will you listen carefullyto the questions and try to make your answers responsive to the questions?

A Yes.

Q First I am going to ask you a little bit about your personnel. You had one large central office, I take it, did you not -- one large central office?

A I had a small central office established.

Q How many people --

A A personnel office.

Q How many employees werein that office?

A There were two personnel experts in that office, a Ministerial Councils, Dr. Stothfang, and a --

Q Just a moment; how many?

A Two higher officials, and about eight medium and lower officials as assistants.

Q Did your inspectors work out of that office?

A The inspectors belonged to Department 9 of the Reich Ministry of Labor, which had been installed there. That was a special department which was established in the Reich Ministry of Labor at my request.

Q I suppose the inspectors worked under your instructions and report to you, did they?

A The inspectors reported first to Department 5 in the Reich Ministry of Labor. I was informed in important cases. The inspectors had the right and the duty to correct bad conditions wherever they found them.

Q How many inspectors were there?

H0145-0079

A. There were, in Department 9--

Q. How many in all?

A. There were various inspectorates.

Q. Just a moment, defendant. Just listen to the question. I asked how many inspectors there were in all the inspection offices.

A. Could not say about the part the Labor Front played in it from my own knowledge; that would have been a matter for Dr. Ley to speak about.

Q. You know about how many inpsectors were working on the inspection of the labor work. You must know about how many there were, don't you?

A. I cannot give you accurate figures, but it could have been approximately 60 or 70, if you take all of them together including those of the German Labor Front, the DAF.

Q. Did they go outside of Germany, or did they work only in Germany?

A. These inspectors worked primarily in Germany.

Q. And the would inspect such matters as food and travel and conditions in the camps, and so on, would they not?

A. That was their task.

Q. Would the important reports come to you?

A. No. According to an agreement, the reports had to be sent to the highest competent Reich offices, in order to correct these conditions. For conditions in industry or in camps, the Secretary's office had the inspection under Reich Minister of Labor Selte. That was the highest office.

Q. Didn't any of them come to you?

A These were complaints which were brought before me, but I could do nothing but approach these executive offices and demand that they should do everything possinle to correct the situation, and I have done that.

Q. Did the inspectors's reports come to you. That is, any of the inspectors' reports?

A. The reports did not come directly to me; they went, through channels, to those offices which were concerned with correcting the situation.

Q. Defendant, I am asking you not whether they came directly, but did they come to you eventually? Did you get them? Did you see them?

H0145-0080

A. Very seldom did such reports come to me.

Q. So you don't know what the conditions were, then, since you didn't get the inspectors' reports; is that right?

A. My assistants and these inspectors, every quarter of a year or half year, were sent by me to the Gauleiters in the various German Gaus, and whatever they discussed there and saw there was reported to me. Those were not of a catastrophic nature, but just short-comings in the execution of the directives which I had issued. I was informed about things of that sort.

Q. So you are telling us that you never got any reports or complaints of a catastrophic nature; is that right?

H0145-0081

A I did not understand that question.

Q You never got any reports or complaints of what you call a "catastrophic nature"; is that right?

A Within Germany I received the reports which were submitted, such as I described to my counsel, from Fieldmarshal Kluge, or as they were made known to me in discussions with Rosenberg. And then immediately I took the necessary measures. But that was not frequently - -

Q (Interposing) Defendant, if you would listen to the question and try to answer it, I think we would get along much faster. You used the expression "catastrophic nature"; those were your words. Did you get any reports of a "catastrophic nature"?

A I was informed by Fieldmarshal Kluge and by reports which I have mentioned here from Rosenberg about a few cases, and did everything to try to correct them.

Q Those were what you call "catastrophic" cases?

A Yes.

Q What were they?

A There was a case that Fieldmarshal Kluge reported to me, where the movies had been surrounded in the procedure of recruiting. I considered that "catastrophic." The second case was the case of the transport back, where, according to the report -- I do not remember the number of the document -- children were alleged to have died on the way, and were outside the trains. I considered that "catastrophic."

Q You have answered.

A But --

Q (Interposing) You have answered that now.

Did you get any complaints about Koch?

A At times, from Reichminister Rosenberg, I received complaints, and others received complaints about Koch. Koch disputed that very frequently.

Q Then you had complaints from several people about Koch?

A Yes.

Q And the complaints said what Koch was doing, did they?

A I did not receive complaints from many sides about Koch --

H0145-0082

Q (Interposing) Now, wait --

A (Interposing) But from some people --

Q (Interposing) You have answered the question now. I did not ask you if you have received many complaints. I said, "The complaints said what Koch was doing." Is that right?

A Yes, in some cases.

Q And what did you do with those complaints?

A As far as my field of work was concerned, those are complaints which have been discussed here. I called a conference in my office. That was immediately after the complaints from Rosenberg; and on that occasion I took the position which my defense counsel has quoted from the meeting of the 6th of January and pointed out.

Q And the Koch matter ended after the conference, I take it? That was all you did?

A (No response)

Q That was the end of it as far as you were concerned?

A As far as I was concerned, I personally pointed it out to the Fuehrer on several occasions that I considered it quite impossible to treat the people in the East badly; and on the basis of the decrees which I had issued continuously and which I had put down in my documents, I did whatever I could do in order to prevent these things. I asked --

Q (Interposing) I have asked you about your central office. Did you have any branch offices.

A No, I had no branch offices. But two departments of the Ministry of Labor, 5 and 6, were put at my disposal for the carrying out of my task of an administrative nature.

Q All right. That is enough.

A There the administrative aspect was not carried off --

Q (Interposing) Wait a minute. Now, were the recruitment officers in the Ministry of Labor?

A No. In the Ministry of Labor --

Q (Interposing) Never mind. That is all you have to say.

Now, where were the recruitment offices?

A The recruitment offices were in the occupied territories.

H0145 - 0083

Q I understand that. But under what office? What administration? What department?

A In the Department of Labor itself, various offices were incorporated in the administration of these territories, as can be seen very clearly from the decree, because that had been done in the same manner before I came into office. They were an integral part of the local administration.

Q Of the local administration. When you mentioned the 1500 district offices, were those the recruitment offices?

A Those were the offices in the various territories altogether, which represented the administration on the lowest level.

Q You do not answer the question. I asked you whether they were recruiting offices. Were they recruiting offices?

A They were not only recruiting offices; they were the offices -- Dienststellen -- of the local labor administration on the lowest level.

Q They did administration and recruiting?

A (No response).

Q They did recruiting, did they not?

A I understand that that was one and the same. The recruitment, according to German principles, was done as part of the administration. Outside the administration, such a thing could not be carried out.

Q They were recruiting offices, then? The answer is yes, is it not? They were recruiting offices?

A Yes.

Q Right. You should have said that in the beginning. That is what I wanted to know. Now, I want to know the relation of your offices to the party offices. The Gaus and the Gauleiters worked in cooperation with you as plenipotentiary, working with you, did they not?

A No. Your Honor, that is a mistake. The Gauleiters had nothing to do with recruiting.

Q Now, wait. I said nothing about recruiting. I asked you the relation of your offices to the Gauleiters. The Gauleiters cooperated with you in the general program, did they not?

A Not in the general program, your Honor; only in the program of the care for German and foreign workers.

H0145 - 0084

Q I see. The Gauleiters, then, had nothing to do with recruiting; is that right?

A No. That is right.

Q But they looked after the care and confort of the men who were recruited; is that right?

A If they were put to work in the Reich, yes.

Q In the Reich?

A In the Reich.

H0145-0085

Q Did the Gaus outside the Reich in the occupied territories also work for you, or do you consider that they were part of the Reich?

A (No response)

Q Let me ask the question again. I do not think it is very clear. Certain of the occupied territories had been incorporated into the Reich, had they not?

A Incorporated into the Reich, where in the East only the territories--

Q (Interposing) Again I am not asking you the number that was incorporated; I just said certain of the occupied territories, certain parts of them, were incorporated into the Reich. Is that right?

A Yes, that is correct.

Q And when you say the Gauleiters in the Reich, that includes, does it not, the Gauleiters in those territories which had been incorporated into the Reich; is that right?

A Yes. But they have given up nothing of their functions as Gauleiters. Only they were Reich Governors, Statthalter; that is, when they had a state administration under them, those were two entirely separate machineries with different personnel.

Q Did each Gauleiter have a labor office connected with his Gau, in his Gau?

A My Lord, may I ask, do you mean all German Gaus, or only those Gaus of which we have just spoken?

Q I mean only the Gaus of which we have just spoken. They each had a labor office, did they not?

A They had a labor administration at the head of which there was a Gau labor president.

Q That is enough. Now, do you know the organization of the Gau in the labor administration? Did they also have a Kreisleiter who attended to the labor work?

A No, they did not have that.

Q And I take it there were no Ortsgruppenleiters that worked on the labor program, then?

A No, that was not the case.

Q That is all right.

H0145-0086

A But that was --

Q (Interposing) No, that is all right.

Now I would like to know a little about what you call this private recruitment. Who appointed the agents who were to do private recruiting? Who appointed them? Did the employers hire agents to get workmen for them?

A (No response)

Q Do you know what I mean by "private recruiting"?

A Yes.

Q That was done by agents, was it not?

A Only in one case, in the year 1944 in France and in part in Belgium, I permitted that, as an exception, on the basis of the agreement withthose French organizations, agents could be active, and could be used.

Q Again, witness, I did not ask you that at all. You do not listen. I said, who appointed those agents that worked as private recruiting agents? Who appointed them?

A In these countries, the plenipotentiary for manpower appointed them - I myself did not know them -- together with the French organizations. That was an arrangement --

Q (Interposing) That is enough. And they would be paid on, I think you said, a commission basis; is that right? They would be paid, in other words, so much per workman? Every workman they brought in, they would get a fee for that; is that right?

A Yes. I do not know the details myself any more, but it is so.

Q Now, I take it when you used the word "shanghai", which you referred to and explained, that simply means private recruiting with force. That is all it means, is it not?

A (No response)

Q That is all it means, is it not? Private recruiting with force?

A No --

Q Now, wait a minute. Can youshanghai a man without using force? Did youshanghai them by persuasion ? Did you?

A Yes, because these French organizations, especially in this way, wanted to get volunteers: In a friendly way, in a coffee house, a glass of beer or wine was taken, so that it would not be done in the offices. I mean

H0145 - 0087

the bad ways of shanghai-ing, which are in my memory from my experiences as a seaman. It may have been a drastic way of telling, but not a concrete explanation.

Never, Your Honor, did I advance an order to shanghai --

Q Oh, I know you didn't order it. That wasn't my question. You mean "Shanghai just meant that you had a friendly glass of wine with a workman and then he joined up? Was that what you meant?

A I understood it so. In the way in which I have expressed it in the central planning, maybe in a drastic form, in order to bring up some counter arguments against the objections which have been made and to prove that I made efforts.

Q Why did you object to this private recruitment? What was the objection to

A In this case I have not objected, but it was contrary to German conceptions about the recruiting of labor of manpower, according to the German principles.

Q Was it contrary to German law?

A It was against my own conviction.

Q I am not interested for the moment in your convictions. I said, was it contrary to German law? It was, wasn't it. against the law?

A It was generally, against the labor laws. As far as possible. there should not be any private recruitment. But may I say as an explanation, Your Honor, that after the laborer had been won over, the obligation of the State, on the basis of the State contract, still existed. It is not to be understood that the worker in question came without contract into the Reich. That contract was granted to him in the same way as yo everybody else.

Q A laborer that was "Shanghaied" by private agents had the same rights, once he was in the employment, as anyone else; is that what you mean?

A The same rights and assurances that everyone else had.

Q Now I am going to come to another subject for a moment. I simply want to understand your defense and what your point of view is. Now see if this is correct You did no recruiting yourself. The police did no recruiting. Your main job was, in the first place, to see that everything was done lawfully and legally. Isn't that right, that was your important function?

A Yes, that was my intention.

Q In order to do that you had to arrange to have the proper laws passed so as to have the recruiting done the law; that is right, isn't it? That was your job?

A Yes.

Q And very often those laws -- by the way, those laws were simply decrees, of course. They were just orders that were signed by the Fuehrer or by you or by some of the ministers. When you say "laws", you mean of course decrees?

H0145-0088

A The laws in the occupied territories for the recruitment of manpower had to be decreed by the Fuehrer and issued by the chiefs in the territories.

Q What I mean is, in order to make this use of foreign labor lawful, you simply had to get certain decrees signed; that was part of your duty, to get them signed?

A I did not sign these decrees.

Q I didn't say you signed them. I understand that. You have explained that in great detail. Now let's see where the police come in. They had nothing to do with the recruiting. Once a decree was signed, it became law, didn't it? When a decree was signed it was law?

A Yes.

Q And when any man resisted being brought in as a workman or didn't register or didn't live up to his contract, he became a criminal; that is right, isn't it?

A He perpretrated the law. We did not call it a crime.

Q But he broke the law?

A Yes.

Q He didn't commit a crime. Did he or did he not commit a crime? Supposing a man failed to register when he was told to register for work, was that a crime?

A No, that was not a crime. We jusy called it a perpretration in Germany.

Q And then when he committed a perpretration he was then turned over to the police; is that right?

A Not immediately, not at once; but he was, in an administrative way, through the Labor Office there, he was requested to --

Q Well, you explained all that. He got three or four days and then if he didn't finally register, for the perpretration he was turne over to the police; is that right?

A How was that handled in the various territories in fact, I would not say. There were various ways --

Q Already in your cross examination you have said that if a man broke the law that that was when the police came in. The police were there simply to see that the law was not broken; that is right, isn't it? That was their function?

A No, that was not my task, but that was the task --

Q Well, why do you always say "it was not my task"?

H0145-0089

I didn't ask you if it was your task. I am just talking about the police; I am talking about you. Now when those labor decrees were violated, then it was, at a certain time, the police began to function; isn't that right?

A That would have been the normal way.

Q Or after the men, let us say in Paris, were rounded up, if they offered physical resistance, then the police had to be called in, didn't they? If there was physical resistance you had to call in the police, didn't you?

A Yes, but I can say that that was hardly ever reported to me. Mostly, one did not do it. It can be clearly seen from the lists of the workers' transports for instance, in the year 1944. of the large program not ten per cent came to Germany and we had no other way --

Q You have given all that evidence before. I just want to get a picture of t the whole system. Now the army, I think you said, the role the Army played was where there had been sabotage or resistance in the occupied territories the Army would have to clean that out so that the Labor Administration could work. That would be right, wouldn't it?

A In so-called resistance areas in which the Administration was handicapped by resistance movements, not only in the field of manpower but also in other functions where the public safety of German troops could not be guaranteed --

Q I am not interested in other functions. I am interested particularly in the field of manpower at this time. So that, for instance, In Poland or Russia, where it was impossible to recruit people on account of the resistance to the recruiting or the resistance to the Army. then the Army would go in and help with the recruiting. It wouldn't be unfair to say that, would it?

A Yes, one can say that.

Q That is right. By the way, did any of these workmen who resisted or who broke the law or who did not register after three days, were they ever tried by court or were they simply handled by the police if necessary? They were never tried by court, were they?

A That I could not tell you in detail or in general. There were various methods used. I could not say that in detail.

Q Well, let's get that in particular. Did any of your decrees provide for trial by a court of such persons?

A No, my decrees did not do that and I was not authorized to issue such

H0145 - 0090

H0145-0091

Price

decrees within the territories because I was not the competant authority for that

Q All right. I am not very clear on this picture of camps. Let's look at that for a moment. There were what you called I think distribution or transition camps, were there not?

A Yes.

Q How many?

A That I could not tell you from memory.

Q Do you think there were more than a hundred?

A No, I don't believe that.

Q But perhaps nearly a hundred?

A No, I can't believe that either. I assume --

Q You could give no figure on that?

A I assume that perhaps in the Reich transition camps there were thirty or forty.

Q In the Reich?

A In the Reich.

Q were those transition camps also in the occupied territories, in France?

A Whether there were any transition camps in the occupied territories or in France and how many, that I could not say. There were in the West, along the border, reception stations, and in the East, along the border, there were transition camps, which had as their purpose another physical

H0145-0092

examination and--

Q I think that is enough. I think you have answered that enough. Now there were also what you called the labor training camps. Do you remember, you said there were also labor training camps?

A Yes. Yes, there were.

Q How many?

A Of that I have no idea.

Q Maybe fifty or a hundred?

A No. I can not tell you even approximately howmany because I have never seen the list. They were not subordinate to me.

Q Who were they subordinate to?

A They were exclusively subordinate to the police or, as far as I know, to Gruppenfuehrer Mueller.

Q And I presume that they were staffed and officered by the SS as were the other concentration camps and so on?

A I have to assume that also but I can't say it because I have never seen any such camps.

Q That would not be improbable, would it?

A No. These camps were subordinate exclusively to the police.

Q To the police. Now who went to the labor training camps?

A According to my knowledge, I heard very little about that. People who were sent there were the people who, in many cases, had committed violations of the labor order and discipline in industries and so on.

Q Thank you very much. That is all I want to know about that point. In other words, people who didn't turn up for registration or who broke their contracts were sent for training. Now what was the training? What does that mean "training"? How were they trained?

A That I could not tell you. I assume that they had to work. There was a period of, I believe, from eight days to fifty-six days, I can't say for sure, but I only heard about it in this court room.

H0145-0093

Well, let us get a little more light on that subject.

Q. You see, you were after all, were you not, Plenipotentiary, so you must have known something about these matters. There wer labor camps as well as labor training camps, weren't there?

A. Yes, there were, and I want to distinguish between them.

Q. I will distinguish. Let me ask you the question. The Labor camps were camps where workmen were sent and housed who were working in industry; isn't that right? There were simply camps where workmen were housed and lived; is that right?

A. Where they lived.

Q. That is right; and the labor training camps were different from the labor camps, weren't they?

A. They were in the first place different. The labor training camps was an institution of the Reichfuehrer SS; the labor camps in which they lived, were established by the industries or by the use of industries where the workers were employed.

Q. So when a man was sent to a labor training camp, he wasn't sent simply to labor, he was being punished, wasn't he, for having broken the law? That must be right , isn't it?

A. To my knowledge, he came into a labor training camp,in order to be trained for the work and for puctuality and so on, and at the same time, it was a punishment for a violation committed by him.

Q. Were there any decrees with respect to the labor training camps, any regulations?

A. I know of no regulation. They must have been issued by the Reichsfuehrer SS and Chief of Police. On my part there were no decrees, no regulations.

Q. So, although part of your duty was to look after the foregin laborers who were brought over here, that stopped after they were turned over to the police and you had no more jurisdiction; is that right?

A. It is right, but in a way I have to correct that. I did not have the task to care for the workers; I only had the task to get the workers to the industries. The supervision about the camps and the care and comforts was in

H0145-0094

no way my task.

Q. Defendant, we clearly understand that. You had practically no executive functions but you repeatedly said that you passed decrees -- by the hundreds, you said -- for improving the condition of the men. Now, we know that you didn't have the job to feed them or to house them but you did one of your main jobs; one of your main jobs was to try to keep them in as good condition as possible and that was the reason you were interested in any complaints. We all understand that, don't we; that is correct -- one of your functions to do that, wasn't it?

A. It was one part; part of the functions that were taken over by me were not in the mission with which I had been charged, but the complaints with which I was confronted every day were the cojplaints that there weren't sufficient workers available. My task was the guidance and the acquisition of workers but out of my own interests, I pointed out the necessities and the requisites to deal with the care and comfort of the workers.

Q. It was a voluntary job on your part. It wasn't part of your duty but nevertheless you did it. But, now, let me come a little bit to the workers themselves. I think we are very clear or comparatively so as to the numbers that were brought in. I want to know how many were voluntary and how many were involuntary. Now, before you answer that, I mean those workers who were brought in not under any law but simply who volunteered for work of their own accord. There were not very many of those, I suppose, were there?

A. Yes, there were a great many workers who, without legal compulsion but on the basis of propaganda and recruitment, came and on the basis of the facts that in Germany the wages and such things, they were comparatively high and regul ted there with a great many workers ---

Q. Let us take a look at that. There came a time when the laws applying to German workers were applied to workers for foreign countries; isn't that true?

A. Yes.

Q. I mean, every German had to work, did n't he, under the law? Right?

H0145 - 0095

A. Yes, that is right.

Q. And that law was finally applied to foreign workers as well, as you just said. Right?

A. That law was also introduced into the Occupied Territories.

Q. For everyone alike. So that after that law was introduced, there was no such thing as voluntary work because after that law was introduced, everyone had to work, did n't they?

A. Yes, as far as the Occupied Territories were concerned, as far as they were requested, according to the demands.

Q. So when you were talking about involuntary work, that must have applied to the time before that law was passed? Right?

A. Yes; yes, there was, however ---

Q. When was the law passed?

A., That law, from late Fall 1942, at various dates was proclaimed. I cannot tell the exact dates on the various territories but I ask to be permitted to say that also under this law, voluntary workers till could and did go volun rily to Germany.

Q. You are right. If they hadn't, they would have gone involuntarily, wouldn't they?

A. No.

Q. Why not?

A. Only certain quotas were requested: not all the workers were requested for Germany.

H0145-0096

Q Well, then those certain quotas that were requested would had to have gone involuntarily; right?

A No. There was also a voluntary recruitment maintained and that has to be understood in such a way. When those workers -

Q Wait, wait, defendant. Don't let us fool over this. It is quite simple. If there was a law which made it necessary for men to work when their quotas had been called up, they had to work, didn't they? Right?

A Yes, they had to work, in their own countried first, but they also could volunteer -- instead of working in their own country -- to work in Germany also.

Q A man had a choice of forced labor in an industry in France or in Germany, so in that sense it was voluntary; is that right?

A Yes.

Q Now, just two or three more questions. You have answered clearly, I think. I just want to ask you about three documents. I think that is all. I am not going into detail. Do you remember the document known as R-124, which was the conference on March 1st of 1944? You remember that conference?

THE TRIBUNAL (Mr. Biddle:) Would someone show him the German notes of that, please, if you have them.

BY THE TRIBUNAL (Mr. Biddle:)

Q Do you remember the conference? Have you looked at the notes?

A That was the conference in the central planning.

Q Yes, that is right. Did you look over those notes?

A Now?

Q Yes.

A Yes.

Q Do they about tell what took place in substance? In substance, there was an account of the conference, wasn't there?

A Yes, at this moment, I beg to be excused because I cannot remember the substance of the conference.

H0145-0097

Q Well, did you find anything in the notes, as you read them over, which you thought in substance was a great mistake?

A I could not say that now, what subject is meant.

Q Have you read the notes, have you read them?

A I did not read all the notes in the central planning. At that time the notes of the central planning were not available to me. I didn't even know that notes were taken in the central planning.

Q Don't go on with all this talk. I simply asked you whether you read them and you said you hadn't read them all. That is all we need.

A No, I haven't read them all.

Q Of the portion that you read, did you find any mistakes

A I found inexact parts and places.

Q Inexact passages?

A For instance, my remarks as to a hundred thousand to five million, that is quite an impossible proportion.

Q Now, you used one expression in those notes which I didn't understand and I am going to ask you what you meant by it. You spoke of your special labor supply executives. Was that the committee or special police that you spoke about yesterday, about a thousand people in it? Do you remember?

A Yes.

Q That is the same thing? That was the committee that you said had to be specially trained by the SS, I think, and by the police in France or wherever they were used?

A Yes.

Q You spoke of them being armed. Why were they armed? Why did they carry arms?

A For their own protection and for the protection of those whom they recruited. They had to have some means of defense against attacks.

Q You didn't usually have anything to do with the police, did you? Why did you organize this police corps? Why did you help

H0145-0098

organize this police corps, an armed police corps; why did you do it?

A That was not an armed police corps in the usual sense such as it was to be understood.

H0145-0099

Q Never mind going over describing it. We know what it was. Why did you organize it? I thought you kept away from police measures.

A In order to establish protection for these people and for these places which frequently were raided and attacked by the resistance movement.

Q I see what you mean. This was an organization to protect the recruiting that was going on; is that right?

A Yes.

Q Now, I just want to ask one question about another manuscript. 016-PS, which was dated April 20, 1944, was the labor mobilization program? That is the program which you issued and signed, is it not? You look at it. That is the program you signed?

A No.

Q It is not? I do not know what you mean.

A I have not understood you correctly. I understood 1944.

Q No, no. OnApril 20, 1942.

A Yes.

Q You issued the labor mobilization program. Is that the program signed by you shown in the exhibit 016-PS? That is the program, is it not?

A The program — May I say the following in connection with that: That was a program which —

Q No, no.

A It did not become effective immediately.

Q Defendant, please answer the question. All I want to know is, first, you did issue a mobilization program, did you not?

A That I did.

Q And that is the one shown in that exhibit, is it not? I am simply identifying it.

A Yes.

Q All right. I wanted to ask you a little bit about bringing the youths of the occupied territories into the Reich. Certain of the youths were brought in, were they not?

A Youths were brought in, but against my —

Q Against your desires, you said. How many were brought in?

H0145-0100

A That i cannot possibly say from my own knowledge. I do not know. There were adolescents.

Q What were the ages? How young were they?

A That I could not say either, what ages the youths were, because there were some who on the basis of measures taken with regard to refugees or the evacuation of other localities came with their families. Then the second time, on the basis of the so-called Heu Action, 1944, youths came to the Reich, but without my having anything to do with it.

Q You know there were young adolescents, of course, young adolescent children, do you not? You know that, do you not?

A Yes.

Q What was the purpose of bringing them in? Were they recruited for labor, or were they to be trained in the Reich and educated.

A There are various complexes of problems here, according to which youths have been brought into the Reich. A part of these youths were not recruited or brought in by agents, but in the carrying out of measures for evacuation, they came with their families, and the --

Q Wait a minute. We will leave out the ones that came with the families. Some were recruited for labor, were they not -- some for work, were they not?

A For work, youths under the legal age that permitted work -- that is under 14 years -- could not be brought in. By agreements, such as can be found and have been submitted in the documents, other offices brought them in for education, care and comfort.

Q You just don't answer the questions. I asked you whether some were brought in for work; children over 14 who were still under 20 were brought in for work, were they not -- recruited for work?

A Yes. Only volunteers were brought.

H0145-0101

Q Only volunteers were brought in?

A Youth should only be brought in as volunteers.

Q You did not recruit any youth involuntarily; you mean that?

A I didn't.

Q I do not mean you personally; I mean the administration.

A No, the labor administration was not supposed to bring any youths, especially girls, involuntarily. Only voluntarily. Domestic servants, for instance, were only volunteers.

Q Some were brought in to be educated in Germany and to become German citizens, were they not?

A That I found out here from documents, but that was not done by me.

Q You did not know about that before.

BY THE PRESIDENT:

Q Did anyone advise you that it was in accordance with international law to force people in occupied countries to come to Germany to work?

A I was urged by the Fuehrer - - obliged - - to take that measure, and it was described to me as admissible. There was no place where objections were raised against these measures, but it was quite according to the demands of all offices.

Q I did not ask you that. I asked you whether anybody advised you that it was in accordance with international law.

A No.

Q You knew, did you not, that the Foreign Office had to consider such matters?

A With the Foreign Office on various occasions I have discussed problems, and that was considered correct on the basis of the conception that, with the surrender of these territories, the institution of German regulations, under the circumstances, was admissble, and also under the existing treaties. That was my conviction.

Q Do you say that you were advised by the Foreign Office that you were entitled, under international law, to force people to come from Russia to work in Germany?

A The Foreign Office never did tell me anything to the contrary, but the Foreign Office was not competent for the questions in the East, I believe, I don't know.

H0145-0102

Q Whom did you ask for advice on the subject?

A The decrees were found by me when I came into my office. These decrees had already been issued, and I was charged with them by the Fuehrer, also, explicitly.

Q Then, the answer is that you asked nobody? Is that right?

A I did not ask anybody. I could not ask anybody because all officers wanted these measures and accepted them. There was never a discussion to the contrary.

Q And did you say that it was not the task of the police to enforce recruiting for labor?

A It was not the task of the police to carry out recruitment.

Q Well, why did you say at the conference on 4 January 1944, which is reported in document 1292-PS, that you would do everything in your power to furnish the requested manpower in 1944, but whether it would succeed depended primarily on what German enforcement agents would be made available and that yo project could not be carried out with domestic enforcement agents? Does that not mean that the police would have to enforce your recruitment programs?

A No, it means that I have expressed there - - The translation of that meeting was not very exact - - I have explained to the Fuehrer that I will probably not be able to carry out his program because there were larte partisan areas, and as long as these partisan areas were not cleared in such a way that a regular administration could be established there, then, also, no recruitment coul take place there. Therefore, at first, normal administrative conditions had to be re-established and that could only be done by those organs whose task it was.

Q What did you mean by German enforcement agents?

A By German enforcement agents I meant the normal administration as such, but in some territories that was too weak.

Q Well, then, why was it that the Reichsfuehrer SS explained that the enforcement agents put at his disposal were extremely few, if those enforcement agents were not police agents?

A I did not understand the question correctly at first, The Reichsfuehrer, I believe, expressed, according to my recollection - - the thought that for the pacification of these areas he did not have enough troops because they were all out at the front. That did not refer to the recruitment and administration, but to the re-establishment of normal conditions in that area.

H0145-0103

Q Well then, are you saying that it was not the task of the police to help you in recruitment, but that it was the task of the military ?

A That was because the Fuehrer decrees in these areas were quite different in application. There were areas in which the army commanders had the sole executive powers, and there were areas in which the civil administration had the executive power on the German side. There was a third kind of area, the zones of military operations, the rear areas, in which the supreme commanders of the army had the executive power.

Q Well, then, either it was the police or it was the military, or it was some other force which was going to carry out your forcible recruiting, is that right ?

A Yes, but also in these areas, the machinery of the civil administration was available, which was not identical with the military or the police, but these armed forces organizations dealt with the special branches of the administration under a special head of that branch.

Q Well, I don't understand then what you meant by saying that your project could not be carried out with domestic enforcement agents.

THE PRESIDENT : That is all I have to ask. The defendant can return to the dock.

THE PRESIDENT : Yes, Dr. Servatius. Go on.

DR.SERVATIUS : Mr. President, referring to Document 3, there is a list of the office of Sauckel which explains the position of the witness whom I am about to call.

Under Sauckel in the Reichsministry of Labor there were various departments, one the department of the witness Timm, the socalled Europe Office, Europa Amt, which again had three sub-departments, one for the West, one for the East, and the third for the South and Southeast.

With the permission of the Court, I call the witness Timm.

H0145-0104

MAX TIMM :a witness, took the stand and testified as follows :

BY THE PRESIDENT :

Q Will you state your full name.

A Max Timm.

Q Will you repeat this oath after me :

I swear by God, the Almighty and Omniscient, that I will speak the pure truth and will withhold and add nothing.

(The witness repeated the oath.)

THE PRESIDENT : You may sit down.

DIRECT EXAMINATION

BY DR. SERVATIUS:

Q Witness, you were in the Reich Labor Ministry in the department Commitment of Manpower.

A Yes.

Q Were you already there when Sauckel took office ?

A Yes, I was in Manpower Commitment several years before that.

Q What was the impression you had of your new superior when Sauckel took over the office ?

A When Sauckel assumed Office, I had the impression of a very energetic, hard-working man, who was inclined to get exited at times, and who demanded much of his assistants, but also made great demands of himself.

Q How was he in carrying out his measures ?

A When he assumed office, the field of commitment of manpower there was a good deal of confusion. Everybody dealt with commitmen of manpower.

Q Was that the reason why that office had been created ?

A The previous chiefs did not have enough force to succeed against vorious offices, and Sauckel was the strong man, and particularly the strong political figure,who could keep things in order.

Q How did Sauckel start this work ? Did he adhere to the regulations of the administration, or did he do it in his own way, in a new manner ?

A He saw his task as a political one, but he alsways tried to do his best to do administrative things in an orderly way. He was generally known as one Gauleiter who favored the workers.

H0145-0105

In order to inform all offices of his administration, at regular intervals he had regular staff meetings, Stabbesprechungen, in which the most imprtant things were discussed.

Q What was your position in that office ?

A First, in the department Commitment of Manpower, I had

a subdivision or branch, later, a department.

Q. What did that department deal with?

A. That department had to deal with the commitment of all manpower action, regulate it, especially the question of skilled workers, the training or workers, advice and education.

Q. Was your office also called Europe Office?

A. Yes.

Q. Could you see most of what went on in the office?

A. Not completely, due to the fact that Gauleiter Sauckel at the same time remained Gauleiter in Thuringia, and that he worked in Berlin in the Thuringia House, whereas the special department put at his disposal remained in the Ministry of Labor.

Q. You didn't understand my question. The question was whether you, from your office, could see everything which went on in Commitment of Manpowe without regard to the activity of Sauckel.

A. No, not completely, because we were not informed about all events.

Q. What were the staff meetings, staff conferences? Who took part in them and what type of people were in them?

A. Primarily the liaison men to the various branches were called to staff conferences.

Q. What kind of people were they?

A. These people were of various types, civil servants, but also economi

Q. But you should tell us from what offices they came, or were they people who were employed by Sauckel?

A. They were primarily people of different branches, such as the representatives of the Plenipotentiary for the Four Year Plan, representativ of the armament industry, of the Ministry for the East, and other department

Q. Was that the so-called specialist staff?

A. That was the so-called specialist staff.

Q. How many people were in it?

A. In my estimation, there may have been about 15 to 20 people.

Q. Besides that, Sauckel had a personal staff. What kind of people we in that?

H0145-0106

H0145-0107

A. The personal staff consisted of many men who Sauckel had brought with him from Weimar, men of his former surroundings.

Q. Did he have specialists, referents? Who were those?

A. He had two personal assistants, Landrat Berk, and Ministerialdirektor Stothfang.

Q. And what was the position of Dr. Didier?

A. Dr. Didier, as far as I remember, was the first referent.

Q. How were these staff meetings carried on? What was discussed?

A. All matters of commitment of manpower, that is, commitment of manpower all over Germany, were discussed, and the sessions were generally introduced by a complete report by Sauckel in which he explained his plans for the future.

Q. Were the questions of recruitment in occupied territories also discussed, and, what is most important here, what was reported about the difficulties which existed there, the methods of which we have heard?

A. Questions of recruitment were generally not discussed there; it was more questions of things in the Reich.

Q. I ask you, first, about the occupied territores. For instance, was there discussed a case which has been presented here, the surrounding of a movie theater, seizing of people there, and similar cases?

A. Yes, the case of the movie is know to me.

Q. That was discussed?

A. Yes, that was discussed.

Q. And what was done about it?

A. Sauckel charged several gentlemen -- I don't know precisely whom -- with making all possible investigations in order to clarify the case.

Q. Were other cases reported?

A. There wasn't a single case which could have been compared in seriousness with that case that has been described here.

Q. Was there also discussion about the question of labor conditions in Germany for foreign workers?

A. There were discussions in the staff conferences about question of

labor conditions.

Q. And wasn't it reported on these occasions that conditions existed in individual camps or industries which were objectionable?

A. Cases of that kind were discussed. In general, they were in the field of clothing, nutrition, and similar things.

Q. How did these reports come into the staff conferences? Who reported them? Where did one find out about them?

H0145-0109

A Sauckel stressed again and again to have these things examined in practice and he established quite a system of inspection and inspectors in order to get an accurate impression about these questions and these reports of inspections which were discussed in the staff conference.

THE PRESIDENT: I have an announcement to make.

Upon consideration of the Motion of the Prosecution, dated the 21st of May and the Memorandum of the Defense Counsel in reply thereto, dated the 29th of May, the Tribunal makes the following order:

The motion of the Prosecution that arguments as to the guilt or innocence of the individual defendants be heard at the conclusion of the evidence relating to the individual defendants, and before the introduction of evidence relating to the accused organizations, is granted. The Tribunal, however, will not decide the question of the guilt or innocence of any defendant until after all the evidence has been heard; and, if any of the evidence relating to the accused organizations is thought by counsel for any defendant to support his defense, he may ask to be heard further with regard thereto. The Tribunal at the conclusion of the evidence relating to the individual defendants will accordingly hear first the argument in their behalf and then the summing up of the Prosecution. The statements of each of the defendants in his own behalf will be heard at the conclusion of the trial before judgment.

The Tribunal is of opinion that the argument relating to the guilt or innocence of the individual defendants will be more helpful if heard immediately at the conclusion of the evidence bearing thereon, and before the Tribunal has departed from this and gone into the branch of the case relating to the organizations. This arrangement, furthermore, will give the Commissioners who are taking the evidence as to the organizations, further time in which to complete their work. The defendants will not be prejudiced in any way by this arrangement; for, apart from the fact that their cases are essentially different from the cases of the organizations, they will be allowed to call to the attention of the Tribunal any circumstance developed on the hearing of the organizations which is thought to be helpful to their defense. The Tribunal finds nothing in the Charter which forbids this procedure, and article 9 leaves to the discretion of the Tribunal the manner of hearing evidence in behalf of the accused organizations.

Counsel for the individual defendants will not be permitted to cross-examine the witnesses called by counsel in behalf of the organizations or to take part in such proceedings save when specially authorized to do so by the Tribunal.

That is all.

The Tribunal will sit tomorrow at ten o'clock in open session until one o'clock.

(The Tribunal adjourned until 1 June, 1946, at 1000 hours.)